

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No.368 of 2018**

Ritesh Jain (Golchha) S/o Late Rawalmal Jain, aged about 38 years, R/o 2/4, Rishabh Nagar, Durg, Police Station, Tahsil and District Durg (CG)

-----Applicant

Versus

State of Chhattisgarh, through Police Station Durg District Durg (CG)

---- Non-applicant

For Applicant	:	Mr.T.K.Jha, Advocate
For Non-applicant	:	Mr.R.N.Pusty, Govt.Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

16/07/2018

1. Apprehending arrest in connection with Crime No.32/2017, registered at Police Station-Durg, District-Durg (CG), for the offence punishable under Sections 420, 468 and 471 of the IPC, the applicant has filed this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. Case of the prosecution, in brief, is that the applicant and co-accused Rakesh Jain submitted a forged tender on 14.3.2012 in the name of complainant Mahesh Sharma and thereby committed the aforesaid offences.
3. Learned counsel appearing for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that case of the present applicant is similar to that of co-accused-Rakesh Jain who has been granted bail by this Court in M.Cr.C.(A) No.1174 of 2017 on

22.3.2018, therefore, on the ground of parity the present applicant is also entitled for bail.

4. On the other hand, learned Government Advocate for the State would oppose the bail application and submit that in fact, the present applicant has forged the signature, therefore, he is not entitled for bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of the offence, role of the present applicant, delay in lodging the FIR and the fact that bail was granted to co-accused Rakesh Jain, this Court is inclined to extent the benefit of anticipatory bail in favour of the applicant.
7. Accordingly, this application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offences, he shall be released on bail by the officer arresting him on his executing a personal bond in the sum of ₹ 25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating/Arresting Officer. The applicant shall also abide by the following conditions:-
 - (i) that he shall make himself available for interrogation before the concerned Arresting/Investigating Officer as and when required;
 - (ii) that he shall not, directly or indirectly, make any inducement, threat or promise to the person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;

- (iii) that he shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that he shall also appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-