

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 730 of 2018

1. Smt. Shanti Singh Wd/o Late Shyama Prasad Singh Aged About 72 Years R/o Nearby Durga Mandir, Dhol Chowk Ward No. 60, Risali Basti Police Station Newai, Tahsil And District Durg Chhattisgarh, District : Durg, Chhattisgarh
2. Smt. Anima Nirmalkar W/o Naresh Nirmalkar Aged About 44 Years R/o Nearby Durga Mandir, Dhol Chowk Ward No. 60, Risali Basti Police Station Newai, Tahsil And District Durg Chhattisgarh, District : Durg, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through District Magistrate, Durg, District Durg Chhattisgarh, District : Durg, Chhattisgarh

---- Respondent

For Applicants	:	Mr. T.K. Jha Advocate.
For Respondent	:	Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

28/06/2018

1. Apprehending arrest in connection with Crime No.96/2018 registered at Police Station- Newai District – Durg(C.G.), for the offence punishable under Sections 420, 467, 468 & 471/34 of the Indian Penal Code (for short 'IPC'), the applicants have preferred this application for grant of anticipatory bail.
2. Learned counsel for the applicants submits that applicants are innocent and have been falsely implicated in this case. The land in

dispute in this case belongs to applicant No.1, who is recorded owner in the records and she has transferred the said land by virtue of her recorded rights to which the complainant has no right to object. Even then a false FIR has been lodged by him which is totally misconceived, hence, it is prayed that applicants be granted anticipatory bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. According to the complaint made by complainant Ajay Singh, the applicants have obtained duplicate Rin Pustika of the land in question and used the same to sell out the disputed land to one Ashish Paliwal for consideration of Rs.80 lakh. Hence, this case.
6. Nowhere it has been claimed by complainant Ajay Singh that the lands belongs to him or he is the title holder of the land. Under these circumstances, I am of this view that this is a fit case where the applicants should be benefited with grant of anticipatory bail.
7. Accordingly, the anticipatory bail application is allowed. It is directed that in the event of arrest of the applicants in connection with the aforesaid offence, they shall be released on bail by the officer arresting them on their executing a personal bond in sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicants shall also abide by the following conditions :
 - (i) that the applicants shall make themselves available for interrogation before the investigating officer as and when required;

- (ii) that the applicants shall not, directly or indirectly, make any inducement, threat or promise to any 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 the applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-

(Rajendra Chandra Singh Samant)

Judge