

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 819 of 2018

- Satis Kumar Fransis S/o Late Fransis Aged About 72 Years
Occupation- Draftsman (Dastavej Lekhak), R/o- In Front Of Kabir
Bada, Raipur-Road, Mahasamund Tahsil And District- Mahasamund,
Chhattisgarh., District : Mahasamund, Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh Through- Station House Officer, Police Station-
Pithoura, District- Mahasamund, Chhattisgarh., District : Mahasamund,
Chhattisgarh
2. Lal Bahadur Mahanti S/o Ramanand Mahanti R/o- Pithoura, Tahsil
Pithoura, District- Mahasamund, Chhattisgarh., District : Mahasamund,
Chhattisgarh

---- Respondents

For Applicant : Mr. Gurudev I. Sharan, Advocate.

For Respondent : Mr. Ashish Shukla, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

24/09/2018

1. The applicant has preferred this bail application under Section 438 of
Cr.P.C. apprehending his arrest in connection with Crime No.92/2018
registered at Police Station- Pithoura, District – Mahasamund(C.G.),
for the offence punishable under Sections 420, 467, 468, 471 & 120B
of the Indian Penal Code (for short 'IPC').

2. Learned counsel for the applicant submits, that applicant is innocent and has been falsely implicated in the crime in question. He had been working simply as a document writer since of period about 40 years in the office of Sub-registrar, Mahasamund, and he is not a party to the alleged forgery that has been made in the revenue papers. Hence, it is prayed that he may be granted anticipatory bail.
3. Learned counsel for the respondent/State opposes the application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. It is alleged in the complaint, that the then Patwari Benjamin Sikka forged the revenue papers showing Khasra No.634, the government land as part of Khasra No.635, regarding which sale-deed was executed in favor of Laxmi Narayan Agrawal, the co-accused person. The allegation against the applicant is only this, that he was the person who wrote the sale-deed on the basis of the revenue papers given by the Patwari.
6. After due consideration on all the material present that is proposed against the applicant for his prosecution in this case, I am of this view that this is a fit case where applicant should be enlarged on anticipatory bail.
7. Accordingly, the anticipatory bail application of applicant is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on his executing a personal bond in the sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :

- (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;
- (ii) that the applicant 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 applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(Rajendra Chandra Singh Samant)

Judge

Nisha