

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 880 of 2018**

Chhedilal Agrawal, S/o. Late Ram Gopal Agrawal, Aged About 63 Years,
R/o. 410, Gupta Gali Main Road Korba, Tahsil and District Korba,
Chhattisgarh.

---Applicant

Versus

State Of Chhattisgarh, Through : The Police Station Balconagar, Korba,
District Korba, Chhattisgarh.

---- Respondent

AND**M.CR.C.(A). No. 881 of 2018**

Ishwar Singh Rajput, S/o. Late Pancham Singh Rajput, Aged About 48
Years, R/o Bajrang Gali, Agrasen Chowk, Korba, Tahsil and District Korba,
Chhattisgarh.

---Applicant

Versus

State Of Chhattisgarh, Through : The Police Station Balconagar, Korba,
District Korba, Chhattisgarh.

---- Respondent

For Applicants	: Mr. S.C. Verma, Advocate
For Respondent/State	: Mr. Ashish Shukla, Govt. Advocate.
For Objector	: Mr. Sanjay Patel, Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**04/09/2018**

- Both the bail applications are heard and decided together by this common order as they are arising out of the same crime number and the incident.
- Apprehending arrest in connection with Crime No.264/2018, registered at Police Station – Balconagar, Korba, District – Korba (C.G.) for offence punishable under Section 191, 193, 195, 211,

420, 34, 120-B of the Indian Penal Code, the applicants have preferred these applications for grant of anticipatory bail.

3. It is submitted by the learned counsel for the applicants, that the applicants have been falsely implicated in this case. The applicants, who are journalist and editor of newspaper have made several complaints against the complainant, who happens to be Tahsildar at Korba because of which, he harassed the applicants and false FIR has been lodged against them by the complainant. The complaint that have been made by the applicants is not baseless against the complainant, which have been received by the various authorities, but no action has been taken on the same. Copy of the complaints are attached along with this bail applications. Therefore, it is prayed that the applicants may be enlarged on anticipatory bail.
4. Per contra learned State counsel opposes the application for grant of bail and the submissions made in this respect. It is submitted that looking to the evidence present on record against the applicants, prima-facie case is made out for offence alleged to have been committed by them. Hence, both the bail applications for grant of anticipatory bail be rejected.
5. Counsel for the objector adopting the arguments advanced by the State counsel prays for rejection of the bail applications.
6. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
7. The case against the applicants is this that both the applicants are engaged in filing complaint against the complainant in which reference has been made to some revenue case registered in Tahsil Court at Korba, whereas on verifying the details of the case,

it has been found by the complainant that the said cases do not exist in the record room of the Tahsil Court at Korba because of which FIR has been lodged alleging forgery, fraud and cheating etc. against the applicants.

8. Considered the submissions made and the contents of the case diary. After due consideration on each and every material present in the case diary, this Court is inclined to extend the benefit of Section 438 of Cr.P.C. to the applicants.
9. Accordingly, both the anticipatory bail applications filed under Section 438 of Cr.P.C. are allowed.
10. 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 executing a personal bond in sum of Rs.25,000/- with one surety each 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram