

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1017 of 2018

- Murit Ram Sahu S/o Late Chamaru Sahu Aged About 65 Years R/o- Hig- 15, M.P. Nagar, Near Niharika, Korba, P.S. Kotwali Korba, Tahsil And District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Station- Dipka, Tahsil- Katghora, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Respondent

For Applicant : Mr. Rajkamal Singh, Advocate.
For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

11/09/2018

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.136/2018 registered at Police Station- Dipka, District – Korba(C.G.), for the offence punishable under Sections 420, 467, 468, 471, 34 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. The complainant Geeta Bai making a false claim, that she is a wife of this applicant whereas this applicant has no connection with her and no connection with the offence that has been alleged to have been committed in this case. There is material available to show the

bonafidy of the applicant. The actual allegation of the commission of offence of cheating is against co-accused persons, hence, it is prayed that he may be benefited with grant of anticipatory bail.

3. Learned counsel for the respondent/State opposes the applications and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. Complainant Geeta Bai has alleged that she was owner of one land, which was acquired by the SECL, Korba in the year 1989, at that time, it is claimed by the complainant that applicant is her husband, who had obtained the documents of land from her to keep them in safety, so that they may be used for getting their siblings appointed in job in SECL. Later on, the complainant came to know that the documents of her land were made use of one Paushit Ram Sahu, who is brother-in-law of this applicant, because of which the FIR has been lodged in this case.
6. After considering the entire material present in the case diary, it appears that this applicant himself has not made any use of the said documents. For this reason, I am of this view that this is a fit case where the applicant should be benefited with grant of 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