

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1115 of 2018

- Pankaj Kumar Mehta S/o Shri Sushil Mehta, Aged About 45 Years, R/o Gangapur, Near Pratiksha Bus Stand Police Station Ambikapur, District Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Ambikapur, District Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh

---- Non-applicant

For Applicant – Shri Amarnath Pandey, Advocate.

For Non-applicant/State – Shri Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

30-10-2018

1. Apprehending arrest in connection with Crime No.377/2018, registered at Police Station – Ambikapur, District Surguja, Chhattisgarh for offence punishable under Section 420, 447, 120-B of the IPC, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant had purchased a piece of Nazul land which was unauthorizedly occupation of Ashok Tamrakar and he has given the same land to his friend Deenanath Sharma. It is a simply a case of illegal encroachment and no offence is made out, hence, it is prayed that this applicant may be benefited with grant of anticipatory bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that the FIR has been lodged by the Nazul Officer Ambikapur alleging that fraudulent sale has been made by the persons of land belonging to the State Government, hence, the application may be rejected.
4. Heard learned counsel for the parties and perused the case diary.
5. The case against the applicant is this, that a piece of Nazul land of plot No.46/3 measuring 510 square feet has been illegally sold out by the applicant

to the co-accused Deenanath Sharma. Hence, this case.

6. After considering on the entire material present in the case diary, I feel inclined to allow this application.

7. Accordingly, the anticipatory bail application is allowed. 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 executing a personal bond in sum of Rs.25,000/- 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.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge