

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.CR.C.(A). No. 1081 of 2018**

Durgesh Kumar Sharma, S/o. Ramsharan Sharma, Aged About 28 Years,  
R/o. Near Satbahaniya Mandir, Civil Line, Mahasamund, Police Station,  
Tahsil And District Mahasamund (C.G).

**----Applicant****Versus**

State Of Chhattisgarh, Through : Station House Officer, Police Station  
Khallari, District Mahasamund (C.G).

**---- Respondent**

---

|                      |                                     |
|----------------------|-------------------------------------|
| For Applicant        | : Mr. Gurudev I. Sharan, Advocate   |
| For Respondent/State | : Mr. Ashok Swarnakar, Panel Lawyer |

---

**Hon'ble Shri Justice Rajendra Chandra Singh Samant****Order On Board****19/09/2018**

1. Apprehending arrest in connection with Crime No.60/2018, registered at Police Station – Khallari, District – Mahasamund (C.G.) for offence punishable under Section 420, 467, 468, 471, 120-B, 34 of the Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by the learned counsel for the applicant, that the applicant has been falsely implicated in this case. No case is made out against the applicant on the basis of the material present in the charge-sheet that has been filed before the concerned Court. Similarly placed co-accused persons in this case have been enlarged on anticipatory bail as well as on regular by this Court.

Hence, it is prayed that the applicant may also be enlarged on anticipatory bail.

3. Per contra learned State counsel opposes the application for grant of bail and the submissions made in this respect.
4. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
5. The case against the applicant and others co-accused persons is this that the complainant Than Singh was induced to purchase the land by the co-accused persons regarding which agreement was executed and complainant paid advance of Rs.40,000/-. Later on the complainant came to know that the land of which agreement was made was a government land. The allegation against this applicant is this that he was the witness to that agreement. Hence, this case.
6. Considered the submissions made and the contents of the case diary. After due consideration on all the material present in the case, this Court is inclined to extend the benefit of Section 438 of Cr.P.C. to the applicant.
7. Accordingly, the anticipatory bail application filed under Section 438 of Cr.P.C. is allowed.
8. 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.

Certified copy as per rules.

**Sd/-**  
**(Rajendra Chandra Singh Samant)**  
Judge

Balram