

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1210 of 2018

- Prasoon Shukla S/o Late Manharan Lal Shukla, Aged About 41 Years, Occupation Advocate, R/o Ward No. 05, Tahsil and District- Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate, Bemetara, District- Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh

---- Non-applicant

For Applicant – Shri Sudhir Verma, Advocate.

For Non-applicant/State – Shri Ashish Shukla, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

12-10-2018

1. Apprehending arrest in connection with Crime No.454/2018, registered at Police Station – Bemetara, District- Bemetara, Chhattisgarh for offence punishable under Section 255, 260, 420, 436, 471/34 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. He has submitted the stamp papers before the Court which were supplied by his client Bisahat Satnami and he had no means to know that the stamp supplied were fake and counterfeit. Hence, there is no fault on the part of the applicant. Finding in the enquiry made by the Court against this applicant is without basis. The applicant is a practicing Lawyer. Hence, it is prayed that the applicant may be benefited with grant of anticipatory bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that the evidence is very clear against the applicant that by filing forged and invalid stamp papers before the Court the applicant has cheated the Court itself, hence, he is not entitled for grant of anticipatory bail.
4. Heard learned counsel for the parties and perused the case diary.

5. The applicant was engaged as counsel by co-accused Bisahat Satnami. A Civil Suit No.11A/18 was filed before the Civil Court in which according to the valuation stamp of Rs.37,120/- was to be affixed as Court fees. The stamp of Rs.8,000/- was submitted before the Court and in second phase Court fee of value Rs.29,120/- was submitted before the Court. On scrutiny it was found that the stamp papers submitted in later stage were fake and forged.

6. The complainant in this case is Reader of the District Court Bemetara and the enquiry has also been conducted by the District Judge Bemetara in which a report has been given against this applicant and the co-accused persons. Hence, under these circumstances, it has appeared that there is prima facie evidence available on record against the applicant and no extraordinary case is made out in favour of the applicant for grant of anticipatory bail. Consequently, this application filed under Section 438 of the Cr.P.C. for grant of anticipatory bail is rejected.

Sd/-
(Rajendra Chandra Singh Samant)
Judge