

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 1247 of 2018**

Sitendra Narayan, S/o. Shri Hiralal, Aged About 41 Years, R/o. Ward No. 11, Kacharipara, Baikunthpur, District Koriya Chhattisgarh.

----Applicant**Versus**

State Of Chhattisgarh, Through : Police Station Baikunthpur, District Koriya Chhattisgarh.

---- Respondent

For Applicant : Mr. Pragalbha Sharma, Advocate
For Respondent/State : Mr. Anil S. Pandey, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****09/10/2018**

1. Apprehending arrest in connection with Crime No.132/2018, registered at Police Station – Baikunthpur, District – Koriya (C.G.) for offence punishable under Section 420 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. There is no evidence in the case diary to involve this applicant in the alleged commission of offence as the applicant is just a office peon. Hence, for this reason, it is prayed that the applicant may 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. It is alleged that co-accused Kanchan Gupta by making use of forged sanction order, of Sub-Divisional Officer, dug a bore well in her agricultural field. It is alleged that this applicant had helped her in getting the forged papers from the office. Hence, this case.
6. Considered the submissions made and the contents of the case diary. Considering the facts and circumstances of the case and after due consideration on all the material present in the case diary, 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 each 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