

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1139 of 2017**

- Ramdayal Dhruv S/o Late Dauram Dhruv Aged About 47 Years R/o Ayodhya Nagar, Near Kusha Bhau Thakre Garden, Mahasamund, Tehsil And District Mahasamund Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through the Station House Officer, Bhatgaon, Police Station Bilaigarh, District Baloda Bazar Bhatapara Chhattisgarh

---- Respondent

For Applicant	:	Ms. Sharmila Singhai, Advocate
For Respondent-State	:	Shri Ashish Shukla, Dy. GA for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****21/03/2018**

1. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicant apprehending his arrest in connection with Crime No.256/2015 registered at Police Station Bilaigarh, District Balodabazar-Bhatapara (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 120-B, 201 and 34 of the I.P.C.
2. As per the prosecution case, the applicant was working as Branch Manager of Co-operative Bank, Bhatgaon. The document of rin pustika were placed by the farmers wherein area was inflated as to purchase the paddy at the support price of government. It is alleged that the present applicant in connivance with the farmers and the Samiti members has extended the benefit to the farmers. As such the

offence has been committed.

3. Learned counsel for the applicant would submit that the applicant was working as Branch Manager and there was no occasion for him to verify the fact that as to what is the actual holding of land of the farmer as the Branch Manager is only supposed to look into the rin pustika wherein the area was shown and it was inflated by the others not by the applicant. He would further submit that the similarly placed co-accused namely Rajeev Dadsena has been granted benefit of anticipatory bail by the co-ordinate Bench in M.Cr.C. (A) No.882/2017 and the case of the present applicant is also similar to him, therefore, the applicant may also be given the benefit of anticipatory bail.
4. Per contra, learned State counsel opposes the prayer for grant of anticipatory bail.
5. Perused the case-diary. Considering the facts & circumstances of this case and also taking into consideration that the applicant was working as Branch Manager of the Bank and the rin pustika were prepared by the Patwari, I am inclined to allow this anticipatory bail application.
6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on his executing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-
 - (i) that the applicant shall make himself available for interrogation before the investigation 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 them by the said Court till disposal of the trial.

Sd/-

Goutam Bhaduri
Judge

Ashu