

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1449 of 2018

- Prashant Puri Goswami S/o Udhav Puri Goswami, Aged About 40 Years, R/o House No.28/2, Tingipur, Police Station- Mungeli, Tahsil and District- Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh through Station House Officer, Police Station- Sarkanda, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Non-applicant

For Applicant – Shri Y.C. Sharma, Advocate.

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

26-11-2018

1. Apprehending arrest in connection with Crime No.524/2017, registered at Police Station – Sarkanda, Bilaspur, Chhattisgarh for offence punishable under Section 420, 467, 468, 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. The name of this applicant has not appeared in the FIR and neither there is any evidence present against him. It is prayed that he may be benefited with grant of anticipatory bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that this applicant is a property dealer and had been actively engaged in the execution of fraudulent transaction for sale of land. Hence, he is not entitled for grant of anticipatory bail.
4. Heard learned counsel for the parties and perused the case diary.
5. Complainant Smt. Pratibha Mishra has lodged the FIR alleging that her property was sold out on the basis of forged power of attorney by one Dashrath Sahu in favour of Smt. Santoshi Kashyap on 5-12-2014.

6. As it has appeared that this applicant was neither the signatory or beneficiary of the said power of attorney or sale deed and there is general allegation against him about being the property dealer and engaged in facilitating the execution of sale deed, hence, after due consideration, 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