

HIGH COURT OF CHHATTISGARH AT BILASPUR**M.Cr.C.(A) No. 1446 /2018**

1. Lalji Yadav, S/o. Late Shri Manki Yadav, Aged About 75 Years, R/o. Village- Indrapur Khor, Police Station- Ramanujganj, District- Balrampur-Ramanujganj, Chhattisgarh.
2. Smt. Shyam Jeera, W/o. Lalji Yadav, Aged About 70 Years, R/o. Village- Indrapur Khor, Police Station- Ramanujganj, District- Balrampur-Ramanujganj, Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh, Through In-Charge, Police Station- Lundra, District- Surguja, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Anand Shukla, Advocate
For Respondent	:	Mr. Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****31.10.2018**

1. Apprehending arrest in connection with Crime No.18/2013 registered at Police Station- Lundra, District Surguja (C.G.) for the offence punishable under Section 420, 467, 468, 471 & 120-B of I.P.C., the applicants have preferred this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, in the period 1998-99 at village Riri certain forest lands were mutated to be private land by the Patwari & Revenue Officer and few of the lands were recorded in name of the present applicants being the beneficiary.
3. Learned counsel for the applicants would submit that the applicants are aged about 75 & 70 years, no further investigation is necessary and other similarly placed accused Ramashray Singh has been enlarged on anticipatory bail on 03.03.2017 in MCRCA No.1296 of 2016 and the case of the present applicants is similar; therefore, they may also be released on anticipatory bail.

4. Per contra, learned State counsel opposes the prayer for grant of anticipatory bail; however, he do not dispute the fact that other similarly placed accused has already been enlarged on bail.
5. Considering the facts & circumstances of the case, taking into the age of the applicants and the date of incident, which is way back in the year 1998-99 and further considering the fact that the other similarly placed accused has already been granted anticipatory bail, I am inclined to release the present applicants on anticipatory bail.
6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicants in connection with the aforesaid offence, they shall be released on bail by the officer arresting them on furnishing a personal bond to a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned Investigating Officer. The applicants shall also abide by the following conditions :
 - (i) that the applicants shall make themselves available for interrogation before the investigating officer as and when required;
 - (ii) that the applicants 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 applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
 - (iv) that the applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.