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HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 834 of 2019

- Awadh Ram Soni S/o Late Taaluram, Aged About 66 Years, R/o - Gram Mohala Post and Tahsil Mohala, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Police Station Bagnadi District - Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Non-applicant

For Applicant – Shri Abdul Wahab Khan, Advocate.

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order on Board

25-06-2019

1. Apprehending arrest in connection with Crime No.13/2017, registered at Police Station – Bagnadi, District - Rajnandgaon, Chhattisgarh for offence punishable under Section 420, 120B, 467, 468, 471 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 applicant had been the then Patwari who had given 22 point report to the title holder Harjinder Singh Bhatia on the basis of the entries that were already present in the revenue records. Therefore, he is not the person who has interpolated or manipulated the revenue records in favour of other accused persons. Main accused person in this case is Harjinder Singh Bhatia who has been granted anticipatory bail by the coordinate Bench of this Court in MCRCA No.289 of 2018. Therefore, it is prayed that the application may be allowed.
3. Learned counsel for the State/non-applicant opposes the application that this applicant has played main role in commission of offence of fraud, cheating and forgery, therefore, he is not entitled for grant of anticipatory bail.
4. Heard learned counsel for the parties and perused the case diary.

5. According to the FIR lodged, co-accused Harjinder Singh Bhatia sold out a property to M/s Mahindra Sponge and Power Ltd., Raipur. It is alleged that the property sold was initially Government land regarding which manipulations were made in the revenue records for the purpose of making the sale.

6. After perusing the entire material present in the case diary and for the reason that the applicant has now retired public servant and detail examination is required as to who was the person who manipulated the revenue records, 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