

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 927 of 2019

- Rajkumari W/o Vishwanath, Aged About 60 Years, Caste Dushad, R/o Village Kuniyakala, PS Darima, Tahsil Ambikapur, District- Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through The Station House Officer, PS Ambikapur, District- Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Non-applicant

For Applicant – Shri Jeetendra Shrivastava, Advocate.

For Non-applicant/State – Shri I. Lakra, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

21-06-2019

1. Apprehending arrest in connection with Crime No.215/2019, registered at Police Station – Ambikapur, District- Surguja, Chhattisgarh for offence punishable under Section 420 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 is in fact owner of the land bearing Khasra No.98/3 which is continuously recorded in her name since the year 2001 when the applicant purchased the same from owner of the said land Mukund. The applicant had bonafidely presented herself as surety for the accused before the Court and furnished bonds in this respect. The report submitted by the revenue officer is erroneous which is based on computer entry which has been erroneously entered by the said computer operator, otherwise the record shows differently. The applicant has a good case to defend. Therefore, it is prayed that this applicant may be benefited with grant of anticipatory bail.
3. Learned counsel for the State/non-applicant opposes the application

and submits that the verification report submitted by the revenue officer cannot be disbelieved. Therefore, the application may be rejected.

4. Heard learned counsel for the parties and perused the case diary.

5. As alleged in this case, this applicant appeared as surety for the accused in the concerned case and furnished the bonds of the same. When the said Court got details of the documents verified from the revenue officer, it was reported that the land bearing Khasra No.98/3 is not recorded in the name of this applicant in the revenue records. Thereafter, the FIR has been lodged.

6. Considered on the entire material present in the case diary and also perused the documents filed along with the application which are certified copy of the revenue records, which show that land abovementioned entered in the name of this applicant, therefore, 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, she shall be released on bail by the officer arresting her 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 herself 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 her by the said Court till disposal of the trial.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Aadil