

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1026 of 2019

- Netram Khute S/o Shri Bhadesh Ram Khute, Aged About 52 Years, R/o Thankhamhariya, District- Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station- Bori, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Non-applicant

For Applicant – Shri T.K. Tiwari, Advocate.

For Non-applicant – Shri Neeraj Pradhan, Panel Lawyer.

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

08-08-2019

1. Apprehending arrest in connection with Crime No.0046/2019, registered at Police Station – Bori, District- Durg, Chhattisgarh for offence punishable under Section 420, 469, 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. No case is made out according to the allegation made by the complainant against the applicant. The applicant is a Government servant working as Patwari and presently posted in District Bemetara. Therefore, it is prayed that the application may be allowed.
3. Learned counsel for the State/non-applicant opposes the application submitting that this applicant has intentionally made correction in the revenue record deleting the name of the complainant and entering the name of one Suresh Kumar to cause harassment to the complainant. Therefore, the application may be rejected.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the FIR lodged, the disputed land was earlier recorded in the name of Suresh Kumar S/o Peelaram. The complainant also happens to be a member of the same family and co-owner of the joint property. After partition

the name of complainant was mutated in the year 89-90 in the revenue records, but subsequently, the revenue record shows the name of Suresh Kumar, therefore, the FIR has been lodged making allegation against the applicant.

6. After considering on all the facts and circumstances of this case, I am of this view that this is a fit case for grant of anticipatory bail.

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