

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 1253 of 2019

1. Sube Lal Banjare S/o Daua Banjare, Aged About 61 Years R/o Village Gobri, Police Station Pachpedi, District Bilaspur Chhattisgarh At Present Azadnagar
2. Ramesh Banjare S/o Daua Banjare Aged About 43 Years R/o Village Gobri, Police Station Pachpedi, District Bilaspur Chhattisgarh At Present Azadnagar

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Pachpedi, District Bilaspur Chhattisgarh.

---- Respondent

For Applicants	: Mr. Ajay Ayachi, Advocate.
For Respondent/State	: Mr. Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

13/11/2019

1. The applicants have filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as they are apprehending their arrest in connection with crime no. 60/2019, registered at Police Station Pachpedi, Distt. Bilaspur (C.G.) for the offence punishable under Section 419, 420 & 34 of the IPC.
2. As per prosecution story, the applicants and their brother late Suresh Kumar Satnami were the owner of land bearing Khasra No. 9/02 admeasuring 5.20 acres. Suresh was a literate person and he was died in the year 2001. Allegedly, the applicants after the death of Suresh Kumar on 10.04.2012, sold the above mentioned land to one

Rajesh. Allegedly, in the sale deed, Suresh Kumar was shown one of the sellers and his photograph was also annexed with the sale deed. In spite of signature of Suresh Kumar, thumb impression was putted in the sale deed. Thus, both the applicants have committed fraud in the crime in question. Wife of Late Suresh Kumar was lodged a report, on the basis of said report, offence has been registered against the applicants.

3. Learned counsel appearing on behalf of the applicants submits that the applicants are innocent and have been falsely implicated in the present case. He further submits that there was no sign and photograph of Suresh Kumar was putted in the sale deed, some unknown person has done the same, therefore, no offence can be made out against the applicants. He finally submits that the applicants are the reputed person of their society, they are the permanent resident of above mentioned address and there is no chance of their absconding, therefore, they may be granted benefit anticipatory bail.
4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for the parties.
6. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by the counsel appearing for the parties and further considering the fact that the method which was adopted by the applicants in the crime in question, in my considered opinion, it is not a fit case to grant benefit of anticipatory bail to the applicants.
7. Accordingly, the anticipatory bail application is rejected.

Sd/-

(Arvind Singh Chandel)
Judge