

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 1352 of 2019

- Mukesh Yadav S/o Satrugan Yadav Aged About 30 Years R/o Ward No. 07, Sitamani, Shiv Mandir Gali, Korba, Tahsil And Police Station And Post Korba, District Korba Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Of Police Station City Kotwali, Korba, District Korba Chhattisgarh.

---- Respondent

For Applicant	: Mr. Pushpendra Singh Baghel, Advocate.
For Respondent/State	: Ms. Smriti Shrivastava, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

13/11/2019

1. The applicant has filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as he is apprehending his arrest in connection with crime no. 398/2019, registered at Police Station City Kotwali, Distt. Korba (C.G.) for the offence punishable under Section 420 of the IPC.
2. As per prosecution story, on 30.03.2019, the applicant received one envelop through registered post, one letter was found inside the said envelop allegedly which was written by Assistant Jailer of Central Jail Bilaspur, wherein the applicant was directed to take the complaint back which he was lodged earlier against the concerned jail authorities regarding *Marpeet* with his brother namely Ramkhilawan. Allegedly, the applicant himself wrote the said forged letter. On the

basis of complainant made by Superintendent of Police, Bilaspur, offence has been registered against the applicant.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. Prima facie no offence can be made out against the applicant. Jail authorities made the complaint to create the pressure over the applicant to withdraw the complaint which he previously made against the officials of Jail Authorities. He received threatened letter through registered post. There is nothing on record which shows that letter has been prepared by him. He finally submits that the applicant is a reputed person of his society, he is permanent resident of above mentioned address and there is no chance of his absconding, therefore, he may be granted benefit anticipatory bail.
4. Per contra, learned counsel appearing on behalf of State opposes the bail application and submits that the envelop, received by the applicant, contained 21 pages of RTI information sought by the applicant and the forged document was prepared by the applicant himself. He has criminal antecedents of same nature. Therefore, he may not be granted benefit of anticipatory bail.
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 applicant has criminal antecedents of same nature. Without further commenting on other merits of the case, in my considered opinion, it is not a fit case to grant anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application is rejected.

Sd/-

(Arvind Singh Chandel)
Judge