

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1900 of 2019**

- Awadh Kumar Soni S/o Late Shri Tularam Soni Aged About 69 Years Caste - Soni, Retired Patwari, R/o At Present House No. 214, Mohla, Police Station Tahsil Mohla, District – Rajnandgaon, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station - Bagnadi, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant : Shri Punit Ruparel, Advocate.

For Respondent/State : Shri Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel**Order On Board****19/12/2019**

1. The Applicant is apprehending his arrest in connection with Crime No. 35/2019 registered at Police Station Baghnadi, District – Rajnandgaon, (C.G.). for the offence punishable under Sections 420, 467, 468, 471, 120-B, 34 of Indian Penal Code.
2. Facts of the case in brief is that, on 11.08.2019 complainant Vivek Agrawal made a report alleging therein that certain government land have been sold by co-accused Harjinder Singh Bhatia by manipulating in revenue records. Subsequently, when inquiry was made by complainant, it was revealed that co-accused Harjinder in connivance with the present applicant and others, sold the government land. On the basis of the said, offence has been registered.
3. Learned Counsels appearing for the applicant submits that the applicant is innocent and has been falsely implicated in the present

case. It is further submitted that at the relevant time, applicant was posted as Patwari. There is no evidence available on record which can show that applicant has done any manipulations in revenue records. Thus, *prima facie*, no offence is made out against present applicant. He further submits that co-accused persons namely B.B. Singh and Harjinder Singh Bhatia have already been granted benefit of anticipatory bail by this Court vide order dated 29.11.2019 passed in MCRCA No. 1453/2019 and MCRCA No. 1464/2019 respectively. Thus, it is prayed that present applicant may also be granted benefit of anticipatory bail.

4. Learned Counsel appearing for the Stat opposes the bail application.
5. I have heard learned Counsel appearing for the parties and perused the material available with due care.
6. Taking into consideration the submissions put-forth on behalf of the parties, considering the facts and circumstances of the case, evidence collected by the prosecution and further considering the fact that co-accused persons namely B.B. Singh and Harjinder Singh Bhatia have already been granted benefit of anticipatory bail by this Court vide order dated 29.11.2019 passed in MCRCA No. 1453/2019 and MCRCA No. 1464/2019 respectively, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present applicant.
7. Accordingly, the bail application is allowed.
8. It is directed that in the event of arrest of the applicant in connection with the aforesaid crime, he shall be released on anticipatory bail on furnishing a personal bond in the sum of Rs. 20,000/- with one solvent surety for the like sum to the satisfaction of the Arresting Officer/Presiding Officer of the concerned trial Court. He shall also abide by all the following terms and conditions :
 - (i) He 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 from disclosing such fact to the Court,

- (ii) He shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) He shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(Arvind Singh Chandel)
Judge