

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No.360 of 2020

- Jitendra Kumar Agrawal, S/o Om Prakash Agrawal, Aged About 47 Years, R/o Jalebi Chowk, Camp 1 Bhilai, Tehsil and District Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- S.H.O. Jamul, District Durg, Chhattisgarh

---- Respondent

For Applicant
For Respondent

Shri B. P. Singh, Advocate
Shri Vikram Sharma, Dy. GA

Proceeding through Video Conferencing

Hon'ble Justice Mr. Prashant Kumar Mishra

Order On Board

25/06/2020

1. The applicant has preferred this bail application under Section 438 of CrPC, as he is apprehending his arrest in connection with Crime No.65/2020, registered at Police Station Jamul, District Durg (C.G.), for the offence punishable under Section 420 of IPC and Section 339 (d) (3) of the Chhattisgarh Municipalities Act, 1961.
2. The applicant has allegedly sold his own land situated within the municipal area without obtaining colonizer licence or getting approval of the layout plan.
3. Learned State counsel submits that the offence is punishable with

imprisonment up to 3 years under Section 339 (c) of the Chhattisgarh Municipalities Act, 1961.

4. Considering the fact that the applicant has sold his own land to the intending purchasers and the offence appears to be technical in nature, as also for the reason that the purchasers themselves have not been defrauded, this Court is inclined to extend benefit of anticipatory bail to the applicant.
5. Accordingly, the bail application is allowed and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on his executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the Arresting Officer with the following conditions:-
 - (i) he shall make himself available for interrogation by a police officer as and when required.
 - (ii) 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 facts to the Court or to any police officer.

Sd/-
Prashant Kumar Mishra
Judge

Nirala