

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 547 of 2020

Bhaskar Payashi S/o Shri R. N. Payashi, aged about 47 years, R/o R-8/78,
Rama Valley Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through - Police Station- Simga, District- Baloda Baloda
Bazar, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Ranbir Singh Marhas, Advocate.
For Respondent/State	: Mr. Sunil Otvani, Additional A.G.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

22/06/2020

1. The matter is heard through Video Conferencing.
2. The applicant has filed this first 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. 149/2020, registered at Police Station: Simga, District: Baloda-Bazar (C.G.) for the offence punishable under Section 188, 420, 467, 468, 471, 472 of IPC & Section 03 of Epidemic Diseases Act, 1897.
3. According to the case of the prosecution, on 13.05.2020, S.D.M, Simga made a written complainant in the concerned police station alleging therein that some unknown person made a forged Permit/Transport Pass in the name of the present Applicant from his (SDM's Office) and the same has been used by the present Applicant for traveling from Simga (C.G.) to Jabalpur (M.P.). On the basis of said, offence has been registered.
4. Learned counsel appearing on behalf of the applicant submits that the applicant has been falsely implicated in the present case. Virtually, the present Applicant obtained a valid pass/transport permit from the office of Collector, Bilaspur (C.G.) and traveled to Jabalpur through valid pass. He never obtained any travel pass from the office of SDM Simga (C.G.) nor used any such pass for traveling from Simga to Jabalpur. He further submits that according to the FIR itself it is clearly mentioned that the pass was prepared by some unknown person from the office of SDM Simga, (C.G) therefore, Prima Facie no case is made out against the present Applicant. He lastly submits that the Applicant is a reputed

lawyer practicing from last 19 years and he is ready to cooperate in the investigation proceedings and there is no chance of absconding therefore, it is prayed that the Applicant may be granted benefit of anticipatory bail.

5. Per contra, learned counsel appearing on behalf of State opposes the bail application.
6. I have heard learned Counsel for the parties.
7. Considering the facts and circumstances of the case and arguments adduced by the counsel for the parties, particularly considering that the Applicant is a reputed lawyer and he is practicing in this Court, without further commenting on other merits of the case, in my considered opinion, it is a fit case for grant anticipatory bail to the Applicant.
8. Accordingly, the anticipatory bail application is allowed.
9. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:-
 - I. That the accused/applicant shall made himself available for interrogation before the concerned Investigating Officer as and when required;
 - II. The accused/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. The accused/applicant shall not act, in any manner which will be prejudicial to fair and expeditious trial; and
 - IV. 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.

Sd/-

(Arvind Singh Chandel)
Judge