

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 931 of 2020**

Firoz Khan S/o Usman Khan, Aged about 35 years, Occupation Business R/o Village Rampur, Thana & Tahsil kartala (Korba is wrongly mentioned in the order sheet), Distt. Korba (C.G.)

---- Applicant**Versus**

State of Chhattisgarh through Police Thana- Chhal, Distt. Raigarh (C.G.).

---- Respondent

For Applicant	:	Mr. Sanjay Agrawal, Advocate
For Respondent	:	Mr. Ghanshyam Patel, Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board**03/09/2020**

1. The matter is heard through video conferencing.
2. The applicant has filed this application under Section 438 of the Cr.P.C for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No. 86/2020 registered at police station – Chhal, Raigarh (C.G.) for the offence punishable under Sections 120-B and 420/34 of the IPC.
3. In this case there are total 6 accused persons. According to the case of the prosecution, on 01/06/2017, one Kripa Ram sold the land to Pitambar Sahu admeasuring area 2.023 hectare, Khasra No. 229/13. It is the case of the prosecution that the said land was obtained by father of Kripa Ram by way of Patta, therefore, Kripa Ram is not entitled to sell the said land without permission of Collector, inspite

thereof, he sold the said land. The allegation against the applicant is that he along with two other co-accused was present at the time of inspection of the said land which was later on sold to Pitambar. On the basis of report made by the Complainant, FIR has been registered.

4. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. There is no direct allegation against the applicant. The main accused- Kripa Ram has already been granted regular bail by the coordinate bench of this High Court. Another co-accused, who is brother of the applicant, has been granted anticipatory bail by the trial Court. He prays to extend the benefit of anticipatory bail to the applicant.
5. Learned counsel appearing on behalf of the State opposes the said application.
6. I have heard counsel for the parties.
7. Considering the facts and circumstances of the case, argument advanced by counsel for the parties and further considering the fact that the main accused- Kripa Ram has already been granted regular bail by the coordinate bench of this High Court and another co-accused has been granted anticipatory bail by the trial Court, without further commenting on other merit of the case, I am inclined to extend the benefit of 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 bond in the sum of Rs.10,000/- 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 make 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.

10. Certified copy, as per rules.

**Sd/-
(Arvind Singh Chandel)
Judge**