

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1447 of 2020**

- Bhupendra Bahadur Singh S/o Late Chandra Shekhar Singh Aged About 60 Years R/o Nagar Palik Nigam Colony, Malviya Nagar, Chirmiri District Koriya Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Reserve Center Ramanujganj, Police Station Ramanujganj District Balrampur Ramanujganj Chhattisgarh.

---- Non-Applicant

For Applicant : Shri S.R. Sinha, Advocate.

For Non-Applicant : Shri Ravish Verma, Govt. Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****16/12/2020 :**

1. The applicant has preferred this application for grant of anticipatory bail as he apprehends his arrest in connection with Crime No.69/2020, registered at Police Station Ramanunganj District Balrampur-Ramanujganj for offence punishable under Section 170, 409, 466, 467, 468 and 471 of the IPC.
2. One Mahendra Kumar Paikra, Sub Engineer of Nagar Panchayat, Ramanujganj has lodged the present FIR alleging that in the resolution dated 27.11.2017, the present applicant, who was Chief Municipal Officer of the said Nagar Panchayat has forged his signatures for approving the tender pertaining to tender Notice No.1422 and 1428.
3. Learned counsel for the applicant submits that on subsequent day the complainant Mahendra Kumar Paikra has himself written a note sheet mentioning the subject resolution. The present false report has been

lodged for the reason that because of the complainant's act of indiscipline and insubordination, he was issued the subject show cause notice (Annexure-A/4, collectively) and later on he was suspended by the applicant on 6.12.2017.

4. The present complaint has been filed on 29.1.2018 i.e. on the very next month when the complainant was suspended from duties. There are documents evidencing show cause notice and disciplinary action taken by the applicant against the complainant. In such a situation, possibility of levelling malafide allegation cannot be ruled out and moreso when the complainant himself has written note sheet mentioning the resolution dated 27.11.2017.
5. Considering that the applicant is a Government servant who is on the verge of retirement, being aged about 60 years and his custodial interrogation does not seem to be necessary as all the records of the case are available in the office of concerned Municipality, I am inclined to release the applicant on anticipatory bail.
6. Accordingly, the 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 not influence the witnesses during trial.
 - (ii) he shall make himself available for interrogation by a police officer as and when required;
 - (iii) 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/-
Judge
(Prashant Kumar Mishra)