

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1695 of 2019**

- Dhuruwa S/o Bhaktu Satnami Aged About 56 Years R/o Ward No. 14, Neem Para, Nawagaon (Khisora), P.S. and Tehsil Magarload, District Dhamtari, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Magarload, District Dhamtari, Chhattisgarh.

---- Respondent

For Applicant : Shri Prateek Sharma, Advocate.

For Respondent/State : Shri Anand Verma, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel**Order On Board****15/01/2020**

1. The applicant has preferred this first bail application under Section 438 of Cr.P.C. for apprehending arrest in connection with Crime No. 198/2019 registered at Police Station Magarload, District – Dhamtari, (C.G.) for the offence punishable under Sections 419, 420, 467, and 34 of Indian Penal Code.
2. As per the prosecution story, co-accused Janak Ram sold one land bearing *Khasra* No. 183/1079, *Rakba* 0.11 hectare by way of impersonation. It is alleged the co-accused persons appeared in the Office of Registrar, Kurud for registration of sale deed, but co-owners namely Fulbati and Fuliya Bai did not appear and in place of them Phulbati and Rameshwari Bai were impersonated for the execution of sale deed. Allegation against present applicant and one co-accused Tularam is that, they were the witnesses of the said sale deed. Report was made by one Sampat Kanwar and on the basis of the said, offence has been registered.

3. Learned Counsel appearing for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that *prima facie*, no case is made out against applicant. Also, co-accused persons namely Janakram Chelak, Smt. Prem Bai, Tula Ram and Smt. Rameshwari Markande have already been granted anticipatory bail by this Court vide order dated 04.10.2019 passed in MCRC No. 1297/2019. Looking to the above, it is prayed that applicant may be granted benefit of anticipatory bail.
4. Learned Counsel appearing for the State 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 have already been granted anticipatory bail by this Court, therefore, 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 anticipatory 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/her 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

Prakash