

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 2116 of 2019

Mahendra Ikhar S/o Gangadharar, Aged about 38 years R/o House No. 112/D
Ruwabandha Sector, Bhilai, P.S.- Bhilai Nagar, District Durg (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through Station In-charge, Smriti Nagar Police Station
Supela, Bhilai, District Durg (C.G.)

---- Respondent

For Applicant	:	Mr. Anmol Sharma, Advocate
For Respondent	:	Mr. Anand Verma, Dy. Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

18/03/2020

1. Heard.
2. The Applicant has filed this application for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No. 507/2019 registered at police station Supela, District Durg (C.G.) for the offence punishable under Section 420 read with 34 of the Indian Penal Code.
3. As per prosecution story, one Smt. Manisha lodged a report alleging therein that co-accused Prakash manipulated with the entries of the registered sale deed and changed the plot number and its boundaries sold the said property to the Applicant and the Applicant after purchasing the said land from co-accused Prakash sold the said land to the Complainant.
4. Learned counsel appearing on behalf of the Applicant submits that the main accused is Prakash from whom the Applicant had purchased the

said land and thereafter sold the same to the Complainant. He further submits that co-accused Prakash has already been granted benefit of anticipatory bail vide order dated 09/08/2019 passed in MCRCA No. 967/2019, therefore, the Applicant may also be given benefit of anticipatory bail.

5. On the other hand, learned counsel appearing on behalf of the State opposed the bail application and submits that according to the material contained in the case diary, prima-facie the case lodged against the Applicant is made out and therefore, his bail application may be rejected.
6. I have heard counsel for the parties and perused the record.
7. Taking into consideration the submission put forth on behalf of the parties, particularly considering co-accused Prakash, who was said to be main accused, has already been granted bail, without further commenting on merit of the case, I am inclined to grant the benefit of anticipatory bail in favour of the Applicant.
8. Accordingly, this 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.20,000/- 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

Rahul