

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 2186 of 2019**

Akash SrisriMal alias Akash Jain S/o Shri Inderchand Srisrimal, aged about 39 years, R/o Bhairav Society near Pachpedi Naka Raipur, Tehsil and Distt. Raipur, Chhattisgarh

---- Applicant**Versus**

State of Chhattisgarh Through S.H.O. Police Station Supela, District Durg (C.G.).

---- Respondent**AND****MCRCA No. 2187 of 2019**

Suresh Shukla S/o Shri Late M.P. Shukla, aged about 56 years, Occupation Sellar of electronic items R/o G.E. Road bus stnd Charoda Distt. Durg Chhattisgarh (C.G.)

---- Applicant

State of Chhattisgarh Through S.H.O. Police Station Supela, District Durg (C.G.).

---- Respondent**AND****MCRCA No. 1 of 2020**

Suresh Tiwari S/o Shri Sharda Prasad Tiwari, aged about 43 years R/o Santoshi Nagar, Ring Road Raipur Tehsil and Distt. Raipur (C.G.).

---- Applicant

State of Chhattisgarh Through S.H.O. Police Station Supela, District Durg (C.G.).

---- Respondent

For Applicants (in all cases)	:	Mr. B.P. Singh, Advocate
For Respondent	:	Mr. Amrito Das, Addl. Adv. General

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

03/06/2020

1. These matters are heard through video conferencing.
2. Since all the cases relate to same crime number, therefore, they are being decided by this common order.
3. The applicants have filed these applications for grant of anticipatory bail as they are apprehending their arrest in connection with Crime No. 155/2018 registered at Police Station Supela, District Durg (C.G.) for the offence punishable under Sections 420 read with Section 34 of the Indian Penal Code.
4. As per prosecution story Complainant Phool Singh and Parvati have purchased a land through registered sale deed from Mohan Lal (died) and applicant Akash on 01/09/2008. On 18/02/2018, a written complaint in this regard was submitted by the Complainant alleging therein that the land which was sold to them was not found on the spot. On the basis of this, offence has been registered.
5. Learned counsel appearing on behalf of the applicants submits that the applicants are innocent and they have been falsely implicated in the present case. There is no evidence against applicant Suresh and Surendra. They were not having any role. The land in dispute was purchased by Mohanlal (died) and applicant Akash in the year 2008 from one Seema and thereafter the said land was sold to the Complainant. He further submits that FIR has been lodged after 10 years. The case is of civil nature, therefore, the applicants may be

extended the benefit of anticipatory bail.

6. Learned counsel appearing on behalf of the State opposes the said applications.
7. I have heard counsel for the parties.
8. Considering the facts and circumstances of the case, and the argument advanced by counsel for the parties and further considering that the case is of civil nature and FIR has been lodged after 10 years, without further commenting on other merit of the cases, I am inclined to give benefit of anticipatory bail to the applicants.
9. Accordingly, the anticipatory bail applications are allowed.
10. It is directed that in the event of arrest, the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.10,000/- with one surety each for the like sum to the satisfaction of the officer arresting them and they shall abide by all the following terms and conditions:
 - i. That, the accused/applicants shall make themselves available for interrogation before the concerned Investigating Officer as and when required;
 - ii. The accused/applicants 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/applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
 - iv. The applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.
11. Certified copy, as per rules.

Sd/-
(Arvind Singh Chandel)
Judge