

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 103 of 2021**

- Virendra Tiwari S/o Late Chandrika Tiwari Aged About 68 Years
R/o Ward No 8 Ramanujganj Rest House Road Police Station
Ramanujganj District Balrampur Ramanujganj (C.G.), District :
Balrampur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer,
Police Station -Ramanujganj District Balrampur-Ramanujganj
(C.G.),

---- Respondent

For Applicant	: Shri Shubham Tripathi, Advocate
For Respondent /State	: Shri Samir Uraon, GA

Hon'ble Smt. Justice Rajani Dubey**Order On Board****13/04/2021**

This is an application filed under Section 438 of the Code of Criminal procedure for grant of anticipatory bail to the applicant, who are apprehending his arrest in connection with Crime No.114/2018 registered at Police Station Ramanujganj, district Balrampur, Ramanujganj (CG) for the offence punishable under Sections 420, 467, 468 and 471 of the IPC.

Case of the prosecution in brief is that the the applicant in a fraudulent manner, in collaboration with the employees of the revenue department has got the revenue records mutated and entries were

made in favour of wife, son and daughter in law of co-accused Shiv Kumar Yadav, which was the government land. It is alleged that on the complaint being made, enquiry was conducted and thereafter the FIR was lodged.

Contention of the counsel for the applicant is that the applicant have been falsely implicated in the present case. He further submits that similarly placed co-accused has been granted bail by this Court in M.Cr.C.A No. 64/2019 vide order dated 29.01.2019 and therefore the present applicant may also be granted similar benefit. He submits that in the present circumstances of the pandemic Covid-19, the investigation will take time and therefore he may be granted bail.

On the other hand, learned counsel for the State opposes the bail application.

Having heard counsel for the parties and considering the totality of the facts, in particular, the nature of allegations against the applicant and that similarly placed c-accused has been granted bail, this Court is of the view that it is a fit case to grant anticipatory bail to the applicant. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant's in connection with the aforesaid offence, he shall be released on bail on their executing a personal bond in sum of Rs. 50,000/- with one surety to the satisfaction of the trial Court. The applicant shall also abide by the following conditions :

- (i) that the applicant shall make themselves available for interrogation before the concerned investigating officer as and when required,
- (i) that 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 them from disclosing such facts to the Court or any police officer;

(ii) that he shall not act in any manner which will be prejudicial to fair and expeditious trial; and

(iii) that 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/-
(Rajani Dubey)
Judge