

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 254 of 2021

- Hileshwari Thakur D/o Anil Kumar Thakur Aged About 38 Years R/o Ganganagar, Jhalmala, Post- Jhalmala, Tehsil District- Balod, Chhattisgarh., District : Balod, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, through the Station House Officer, Police Station Chuikhadan, District- Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Non-applicant

For Applicant – Shri Sushobhit Singh, Advocate.

For Non-applicant/State – Shri Vimlesh Bajpai, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

17-05-2021

1. Apprehending arrest in connection with Crime No.22/2021, registered at Police Station – Chuikhadan, District- Rajnandgaon, Chhattisgarh for offence punishable under Section 420, 467, 468, 471, 34 of the IPC, the applicant has preferred this application under Section 438 of Cr.P.C. for grant of anticipatory bail.
2. It is submitted by learned counsel for the applicant that this applicant has been falsely implicated in this case. The applicant is a public servant working as a Patwari and she has provided certified copies on the basis of records present in the office. She has not participated in commission of the offence of cheating and forgery in any manner. In case she is arrested her career will jeopardized. Therefore, it is prayed that she may be benefited with grant of anticipatory bail.
3. Learned counsel for the State/non-applicant opposes the application and submits that the applicant is the author of the forged documents which had been used in the execution of the fraudulent sale deed, therefore, she is not entitled for grant of anticipatory bail.
4. Heard learned counsel for the parties and perused the case diary.

5. The prosecution case is this, that co-accused persons namely Gyaneshwar Marutkar and others sold the disputed property to complainant Anand Chand Banjare who got the sale registered in the name of his grandson Atulya Chandel, for a consideration of Rs.29,04,000/-, on the basis of the certified copy of the revenue records presented at the time of registration of the sale deed. The certified copies of the documents were provided by this applicant.

6. Considered on the submissions. On perusal of the case diary, it is revealed that the submissions made on behalf of the applicant side have some force, hence, looking to that I feel inclined to allow this application.

7. Accordingly, the anticipatory bail application is allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on bail by the officer arresting her on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :

- (i) that the applicant shall make herself available for interrogation before the investigating officer as and when required;
- (ii) that the 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) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Vacation Judge