

NAFR

(Proceeding through video conferencing)
HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1511 of 2021

- Ganpatlal Achre, S/o Chamare Achre, aged about 56 years, Halka Patwari No.31, Tahsil Office Chhuikhadan, R/o presently at Village Ward No.11, Tikripara, Chhuikhadan District Rajnandgaon Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh, through Station House Officer, Police Station Chhuikhadan District Rajnandgaon Chhattisgarh.

---- Non-applicant

For Applicant	:	Mr. Abhishek Sharma, Advocate
For Non-applicant	:	Mr. Gagan Tiwari, Dy. Government Advocate.

SB: Hon'ble Mr. Justice Parth Prateem Sahu

Order On Board

31/05/2021

1. This is first application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to applicant, who is in custody since 8.2.2021 in connection with Crime No.37/2021 registered at Police Station Chhuikhadan, District Rajnandgaon for commission of the offence punishable under Sections 420, 467, 468, 471, 34 of the IPC.
2. Allegation against the present applicant is that he manipulated/prepared forged and fabricated revenue documents to facilitate co-accused to obtain KCC loan from Maharashtra Bank, Gandai Branch.
3. Mr. Abhishek Sharma, learned counsel for the applicant submits that the applicant has not committed the offence as alleged against him and he has been falsely implicated in crime in question. He submits that present applicant was posted at Patwari Halka No.14 during the period of

alleged commission of crime and he was given charge for some time of the Patwari Halka where the property of which revenue records are stated to be manipulated. Applicant, who is in custody since 8.2.2021, is a government servant, therefore, there is no chance of his absconsion. Charge sheet is already filed after due investigation and the offences alleged against the applicant are triable by the Magistrate. Applicant is ready and willing to abide all the conditions which may be imposed by this Court while granting him bail. Hence, the applicant may be enlarged on regular bail.

4. On the other hand, learned State Counsel opposes the submissions made by learned counsel for applicant. He submits that during the course of investigation, the police has collected material against present applicant. Witness Bhupendra Dewangan has stated in his statement recorded under Section 161 of CrPC that correction in revenue record can be made after logging into computer software and as per material available, it is the present applicant who had made corrections in the revenue records in question.
5. I have heard learned counsel for the parties.
6. Taking into consideration the nature of allegations levelled against the applicant, period of detention i.e. from 8.2.2021, offences alleged against applicant are triable by Magistrate and charge sheet is already filed, without commenting anything on merits of the case, I am inclined to release the applicant on regular bail.
7. Accordingly, the application is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one local surety in the like sum to the satisfaction of the trial Court concerned on the conditions that;

- a) he shall appear before the trial Court concerned regularly on each and every date unless exempted from appearance.
- b) he shall not, in any manner, tamper with the prosecution witnesses.
- c) If the applicant is found involved in similar kind of offence in future, it will be open for the State to apply for cancellation of his bail.

8. Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
Vacation Judge

roshan/-