

HIGH COURT OF CHHATTISGARH AT BILASPUR**M.Cr.C.(A) No. 413 /2021**

Moh. Akram Siddiqi, S/o. Moh. Ayyub Siddiqi, Aged About 55 Years, R/o. Rampur, Tahsil & P.S. Kartala, Korba, District Korba Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through P.S. Shyang, Korba, District Korba Chhattisgarh.

---- Respondent

For Applicant : Ms. Madhunisha Singh, Advocate

For Respondent : Mr. Ashish Tiwari, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

27.07.2021

1. Apprehending arrest in connection with Crime No.13/2020 registered at Police Station- Shyang, District Korba (C.G.) for the offence punishable under Sections 420, 467, 471, 468, 120-B & 34 of Indian Penal Code, the applicant has preferred this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, a report was made by the Patwari that the Mangal Singh by hacking the Patwari Login I.D. converted the Government land bearing Khasra No.318 into private land and thereafter sold it to Aman Agrawal and others on 10.06.2020. It is alleged that the charge sheet was filed against two persons and subsequently the memorandum was recorded wherein it was revealed that the present applicant was involved instrumentally in preparing the forged B-1, Naksha Khasra, etc.
3. Learned counsel for the applicant would submit that the entire allegation is against Mangal Singh and others and present

applicant was not named in the FIR. He further submits only after the charge sheet has been filed, name of this applicant come first time in the memorandum, therefore, no allegation were attributed against the applicant. There are apprehension that on the basis of memorandum, the applicant may be arrested, therefore, in the event of arrest, the applicant may be enlarged on anticipatory bail. It is further submitted that in the similar like nature of cases, the co-ordinate Bench of this Court in MCRCA No.332 of 2021 on 25.06.2021 grant anticipatory bail; therefore, the present applicant may also be given the benefit of anticipatory bail.

4. Per contra, learned State counsel opposes the prayer for grant of anticipatory bail.
5. Having considered the fact that initially the applicant was not named in the FIR and after the charge sheet was filed only on the basis of memorandum this applicant was named, I am inclined to grant the benefit of anticipatory bail to the present applicant.
6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on furnishing a personal bond to a 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 himself 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 him by the said Court till disposal of the trial.

Ashok

Sd/-
(Goutam Bhaduri)
Judge