

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 332 of 2021**

- Moh. Akram Siddiqi, S/o Moh. Ayyub Siddiqi, aged about 55 years, R/o Rampur, Tahsil & P.S. Kartala, Korba, District Korba (C.G.).

---- Applicant**Versus**

- State Of Chhattisgarh Through : Police Station Shyang, Korba, District Korba (C.G.).

---- Respondent**And****MCRCA No. 350 of 2021**

- Moh. Akram Siddiqi, S/o Moh. Ayyub Siddiqi, aged about 55 years, R/o Rampur, Tahsil & P.S. Kartala, Korba, District Korba (C.G.).

---- Applicant**Versus**

- State Of Chhattisgarh Through : Police Station Shyang, Korba, District Korba (C.G.).

---- Respondent

For Applicant	:	Mrs. Madhunisha Singh, Advocate
For Respondent	:	Mr. Vimlesh Bajpai, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****25/06/2021**

1. The matter is heard through video conferencing.
2. Since, in the aforesaid anticipatory bail applications the applicant is one and the same, they are being heard and disposed of by this common order.
3. These applications under Section 438 of the Code of Criminal Procedure have been filed by the applicant who is apprehending his arrest in connection with Crime Number

15/2020 in MCRCA No.332/2021 and 16/2020 in MCRCA No.350/2021 registered at Police Station Shyang, District Korba (C.G.) for the offence punishable under Sections 420, 467, 471, 468, 120-B and 34 of Indian Penal Code.

4. The prosecution story, in brief, is that complainant Bhupendra Singh Markam made a complaint at police station Shyang, Korba, alleging that present applicant along with co-accused namely Shyam Singh Rajput sold the government land bearing Khasra No.343/1 and 349 ad-measuring 2.189 hectare and 0.955 hectare situated at village Chiraa, and Khasra No. 175 admeasuring 1.011 hectare situated at village Solwa by hacking the Patwari login ID. During investigation it was revealed that the alleged crime was executed with the aid of present applicant. Based on this, offence has been registered against the present applicant.
5. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. She further submits that the name of present applicant does not find place either in Registry or in array of vendor and no money has been deposited in his account. She also submits that only on the basis of memorandum of co-accused Shyam Singh Rajput, the present applicant has been implicated in the crime in question. She also submits that the offence is triable by Magistrate and the applicant is ready to abide by all the conditions and directions which may be imposed by the Hon'ble Court while granting anticipatory bail.
6. On the other hand, learned State counsel opposing the bail

applications submits that the applicant committed grave offence by mutating forest land on his name and sold it.

7. I have heard learned counsel for the parties and perused the material on record.
8. After hearing counsel for the parties and considering the facts and circumstances of the case, and further considering the fact that except memorandum of co-accused Shyam Singh Rajput nothing adverse found against the applicant, without commenting anything on merit of the case, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicant.
9. Accordingly, the applications are allowed. It is directed that in the event of arrest of the applicant in connection with aforesaid crime numbers, he shall be released on bail on his furnishing a personal bond in the sum of Rs.50,000/- - Rs.50,000/- each with one surety for the like sum to the satisfaction of the concerned arresting/investigating officer or the court concerned, as the case may be, with the following terms and conditions:
 - (i) that the applicant shall make himself available for interrogation/medical examination before the concerned 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 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.

Sd/-

(Rajani Dubey)
Judge

PKD