

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 972 of 2021**

Smt. Savitri Sonkar W/o Shri Sharda Sonkar Aged About 59 Years R/o Village Bhatagaon, Tehsil and District- Raipur, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh Through The SHO Police Station- Purani Basti, District- Raipur, Chhattisgarh.

---- Non-applicant

 For Applicant : Shri Vivek Sharma, Advocate
 For Non-applicant/State : Shri B.L. Sahu, Panel Lawyer

(Proceedings through Video Conferencing)**Hon'ble Shri Justice Parth Prateem Sahu****Order on Board****19.08.2021**

1. The applicant has preferred this first bail application under Section 438 of the Cr.P.C. for grant of anticipatory bail, as she is apprehending her arrest in connection with Crime No.187 of 2021, registered at Police Station Purani Basti, District Raipur (C.G.), for offence punishable under Sections 292(C) & 292(F) of Municipal Corporation Act.
2. Case of the prosecution in brief, is that, applicant is owning land bearing Khasra No.1148, ad-measuring 0.167 hectares situated at Bhatagaon, Raipur, which she sold to about 17 different persons after plotting, which is in violation of Colonizers Act and punishable under Sections 292(C) & 292(F) of Municipal Corporation Act, 1956.
3. Shri Vivek Sharma, learned counsel for the applicant would submit that applicant is an illiterate lady, aged about 59 years. The land is recorded in her name, of which, power of attorney was given to

her son, Bhupendra Sonkar, who sold the land as alleged. He further submits that no custodial interrogation is required in the facts of the case and allegations levelled against the applicant is false and frivolous, hence, she may be enlarged on anticipatory bail. It is further contended that applicant will co-operate and appear as and when required by the Investigating Agency and make herself present.

4. Per contra, Shri B.L. Sahu, learned Panel Lawyer representing the State opposing the submissions made by learned counsel for the applicant, would submit that as per complaint filed, allegation against the applicant is that she herself sold the land, hence, she is not entitled for grant of anticipatory bail.
5. I have heard learned counsel for the parties.
6. Taking into consideration the facts and circumstances of the case, nature of allegations, the fact that applicant is lady, aged about 59 years and submissions made by leaned counsel for the applicant that land was sold by power of attorney holder, without commenting anything into the merits of the case, I am inclined to release the present applicant on anticipatory bail.
7. Accordingly, bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on anticipatory bail on her furnishing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with one surety in the like sum to the satisfaction of the arresting officer and she shall be abide by the following conditions :-

(i) she shall make himself available for interrogation by a police officer as and when required;

(ii) she 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 her from disclosing such facts to the Court or to any police officer.

(iii) she shall not influence the witnesses during pendency of the trial.

Certified copy as per Rules.

Sd/-

(Parth Prateem Sahu)
Judge