

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No.1366 of 2020

Surendra Purohit, S/o Devsai Purohit, Aged About 35 Years Caste -
Lanja, R/o Village - Bojia, Thana Chhal - District Raigarh Chhattisgarh.,
---- **Applicant**

Versus

State Of Chhattisgarh, Through - Police Thana - Chhal District - Raigarh
Chhattisgarh
---- **Respondent**

For Applicant	:	Mr. Sanjay Agrawal, Advocate.
For Respondent/State	:	Ms. Samiksha Gupta, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

26/02/2021

Heard.

1. The applicant has filed this application under Section 438 of the Cr.P.C for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No. 86/2020 registered at police station – Chhal, Raigarh (C.G.) for the offence punishable under Sections 120-B and 420/34 of the IPC.

2. In this case there are total 6 accused persons. According to the case of the prosecution, on 01/06/2017, one Kripa Ram sold the land to Pitambar Sahu admeasuring area 2.023 hectare, Khasra No. 229/13. It is the case of the prosecution that the said land was obtained by father of Kripara Ram by way of Patta, therefore, Kriparam is not entitled to sell the said paid without permission of Collector, inspite thereof, he sold the said land. The allegation against the applicant is that he was the broker and he along with two other co-accused was present at the time of inspection of the said land which was later on sold to Pitambar. On the basis of report made by the Complainant, FIR has been registered.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. There is no direct allegation against the applicant. The main accused- Kripa Ram has already been granted regular bail by the coordinate bench of this High Court. Another co-accused, who is brother of the applicant, has been

granted anticipatory bail by the trial Court. He prays to extend the benefit of anticipatory bail to the applicant.

4. Learned counsel appearing on behalf of the State opposes the said application.

5. I have heard counsel for the parties.

6. Considering the facts and circumstances of the case, argument advanced by counsel for the parties and further considering the fact that the main accused- Kripa Ram has already been granted regular bail by the coordinate bench of this High Court and another co-accused has been granted anticipatory bail by the trial Court, without further commenting on other merit of the case, I am inclined to extend the benefit of anticipatory bail to the applicant.

7. Accordingly, the anticipatory bail application is allowed.

8. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail on his furnishing a personal bond in the sum of Rs.10,000/- along with one surety for the like amount to the satisfaction of the arresting officer and the applicant shall abide by all the following terms and conditions -

(i) that the applicant shall make himself available for interrogation by a Police Officer as and when required;

(ii) that he 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 from disclosing such facts to the Court or to any Police Officer.

(iii) that he shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

(iv) that he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-

(Manindra Mohan Shrivastava)

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