

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1438 of 2020

- Sudhir Kumar Singh S/o Kharswaroop Prasad Aged About 52 Years R/o Chirai, Police Station And Tehsil Shankargarh, District Balrampur-Ramanujganj, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Station Sitapur, District Surguja, Chhattisgarh

---- Respondent

For Applicant	: Shri Manoj Paranjape, Advocate
For Respondent/State	: Shri Devesh Verma, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

22/03/2021

This is an application filed under Section 438 of the Code of Criminal procedure for grant of anticipatory bail to the applicant, who is apprehending his arrest in connection with Crime No. 13/2018 registered at Police Station Sitapur, district Sarguja (CG) for the offence punishable under Sections 420,467,468,471 and 120-B/34 of the IPC.

Case of the prosecution in brief is that the complainant has lodged a report alleging that she is holding particular land at village Sontarai, Sitapur and is the owner of the property. It is alleged that when she moved application for obtaining the certified copies of the revenue records, she came to know that the same was recorded in the

name of some other person namely Asha Beck. It is further case of the prosecution that said Asha Beck has got executed the sale deed by personating her mother as seller. The allegation against the applicant is that at the relevant time, he was the patwari of the said village (Sontarai).

Contention of the counsel for the applicant is that the applicant has been falsely implicated in this case. He further submits that the applicant is a government servant and he was duty bound to record the name of the purchaser on the basis of registered sale deed.

On the other hand, learned counsel for the State opposes the bail application.

Having heard counsel for the parties and considering the totality of the facts, in particular, the nature of allegations against the applicant, this Court is of the view that it is a fit case to grant anticipatory bail to the applicant. Accordingly, the 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 on his executing a personal bond in sum of Rs. 50,000/- with one surety to the satisfaction of the trial Court. The applicant shall also abide by the following conditions :

(i) 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/her from disclosing such facts to the Court or any police officer;

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

(iii) 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.

Sd/-

(Rajani Dubey)
Judge

suguna