CGHC010403092026 2026:CGHC:46775

RAVI SHANKAR MANDAVI Digitally signed by RAVI SHANKAR MANDAVI

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1734 of 2026

1 - Sachin Tigga S/o Fabianus Tigga Aged About 41 Years R/o Bichpara, Fundur Dihari, Ambikapur, District Surguja, Chhattisgarh.

2 - Shanti Helena Tigga W/o Fabianus Tigga Aged About 62 Years R/o Bichpara, Fundur Dihari, Ambikapur, District Surguja, Chhattisgarh.

... Applicants

versus

1 - State Of Chhattisgarh Through Station House Officer, P.S. Gandhinagar, District Sarguja, Chhattisgarh.

... Respondent

(Cause title is taken from CIS)

For Applicants	: Mr. Vivek Kumar Shrivastava, Advocate
For State/Respondent	: Mr. H.A.P.S. Bhatia, G.A.

Hon'ble Shri Justice Parth Prateem Sahu

Order on Board

04/11/2026

1. Applicants have preferred first bail application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of anticipatory bail to the applicants who are

apprehending their arrest in connection with Crime No. 82/2022 registered at Police Station – Gandhinagar District – Sarguja (C.G.) under Sections 420, 467, 468 and 471 of IPC.

2. The case of the prosecution in brief is that the complainant-Malti has filed a complaint under Section 156(3) of the Code of Criminal Procedure, 1973, before the Court of the Judicial Magistrate First Class, Ambikapur, pursuant to which the learned Court directed the police to register an FIR. The complainant was a joint holder/co-sharer in respect of land bearing Khasra No. 306, admeasuring 0.690 hectares, situated at Village Digma, Tahsil Ambikapur, District Surguja, Chhattisgarh. The complainant and Dharmi were having equal shares in the said property. It is alleged that Dharmi, in connivance with Ramkripal Sahu, Jivnesh Mandal, Shubhjit Mandal, Shanti Helena and the then Patwari, caused the aforesaid land to be sold in favour of Bhakku and Sachin Tigga by way of a registered sale seed dated 01.08.2016, without the knowledge, consent or authority of the complainant. It is further alleged that Dharmi prepared and/or executed a forged Sahmati Patra (Consent Letter) purporting to have been executed without the consent of the complainant, despite there being no such consent or authorization on her part, and on the basis thereof proceeded to sell the aforesaid land in favour of Bhakku and Sachin Tigga/applicant No.1.

3. Learned counsel for applicants would submit that according to allegation Dharmi has executed sale deed of property subject matter of the complaint on the basis of Sahmati Patra/consent letter executed by Malti and Ram Vilas, in favour of the applicant. Applicant No.1 has purchased of the said property vide registered sale deed executed by them in his name and applicant No.2 is witness to this sale deed. Applicant No.1 is a bonafide purchaser. He is not aware about the preparation of Sahamati patra/consent letter as alleged by the complainant. There is no other criminal antecedent registered against the applicant No.1 and applicant No.2 is lady aged about 62 years. Hence, the benefit of anticipatory bail may be extended to them.

4. Learned State counsel opposes the submission of learned counsel for applicants, however he do not dispute the submission made by learned counsel for the applicants that applicant No.1 to be purchaser and applicant No.2 to be witness of sale deed.

5. I have heard learned counsel for the respective parties and perused the documents placed on record.

6. Taking into consideration the facts and circumstances of the case, the nature of allegation, submission made by learned counsel for respective parties and further considering that applicant No.1 is a bonafide purchaser and he is not aware about the preparation of Sahamati patra/consent letter and applicant No.2 is mother of applicant No.1 aged about 62 years, without commenting anything

on merits of the case, I am inclined to allow this anticipatory bail application.

7. Accordingly, the anticipatory bail application is **allowed** and it is directed that in the event of arrest of applicants in connection with the aforementioned crime number, they shall be released on anticipatory bail by the Officer arresting them on executing a personal bond in the sum of ₹25,000/- with one surety each in the like sum to the satisfaction of the concerned arresting Officer. Applicant shall also abide by the following conditions:

(i) that the applicants shall make themselves available for interrogation before the Investigation Officer as and when required;

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

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

Certified copy as per rules.

Sd/-

(Parth Prateem Sahu)

JUDGE

Ravi Mandavi