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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1751 of 2026

1 - Lal Bahadur Yadav S/o Mahavir Yadav Aged About 43 Years R/o Village Sahpur, P. S. Dharamjaigarh District- Raigarh Chhattisgarh.

... Applicant

Versus

1 - State of Chhattisgarh Through Station House Officer, Police Station Kapu, District- Raigarh Chhattisgarh.

... Respondent(s)

(Cause-title taken from Case Information System)

For Applicant	:	Shri B.M. Roy, Advocate.
For State	:	Shri Rishiraj Pithwa, Dy. Govt. Advocate along with Ms. Richa Sahu, Panel Lawyer.

Hon'ble Shri Justice Ravindra Kumar Agrawal, J

Order on Board

02.11.2026

1. Present anticipatory bail application has been filed by the applicant under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 apprehending his arrest in connection with Crime No.131/2026 registered at Police Station Kapu, District Raigarh for the offence punishable under Sections 420, 467, 468, 471 & 120-B of IPC.

2. The prosecution case, in brief, is that a written complaint was made by the Tehsildar, Kapu namely Unmesh Patel, on 11.08.2026, inter-alia on the allegation that the government land of Gram Panchayat Raimer

has been divided in parts and fake leases have been prepared in the name of outsiders and fake registry has been done by brokers, whose Khasra Numbers are 479/2 (area 2.023 Hect.), 467/36 (area 0.874 Hect.), 467/25 (area 0.695 Hect.), 467/23 (area 0.548 Hect.), 310/10/ख (area 0.974 Hect.) and 310/10/2 (area 2.758 Hect.). The area of government land Khasra Numbers 467/23, 467/25, 467/36 are 0.248, 0.965 and 0.874 hectare respectively. The land was registered in the name of a private individual by the then-patwari, Rakesh Sai. Subsequently, the land was transferred to another person illegally on the basis of forged documents. In this transfer, the Halka Patwari Rakesh Sai, as well as the power of attorney holder Kailash Kumar Jethwani, the attesting witnesses of the sale deed and other individuals are involved in the offence. On the basis of said complaint dated 11.08.2026, an FIR was registered against the present applicant and other accused persons for the offence punishable under Sections 420, 467, 468, 471 and 120(B) of the IPC in which the applicant is apprehending his arrest.

3. Learned counsel appearing for the applicant would submit that applicant is innocent and has been falsely implicated in the offence. The applicant was not having knowledge about the nature of land before putting the sale deed for its registration. He is only an attesting witness to the sale deed and was unaware about the source of ownership of the seller. He signed the sale deed only as an attesting witness of the deed and nowhere concerned with its transaction. The sale deed was executed by Kailash Jethwani who was the power of attorney holder of original land owner Ujit Ram. The sale deed was

executed in favour of Madhu Sudan Agrawal on 20.10.2022 and thereafter his name was mutated in revenue records by the concerned Patwari and Rin Pustika was also issued. It is further submitted that looking to transaction between the parties and role of the present applicant of only being attesting witness to the sale deed, it cannot be presumed that he was having knowledge of transaction regarding ownership of the land of Ujit Ram. There is no criminal antecedent against the applicant. He is having good reputation in the society and community and therefore he may be granted anticipatory bail.

4. On the other hand, learned counsel for the State would oppose the bail application of the applicant and submit that all the accused persons conspired together, got the government land mutated in the name of Ujit Ram and ultimately sold it to Madhu Sudan Agrawal through power of attorney Kailash Kumar Jethwani and in all these process the role of all the accused persons are specific. The allegation against the present applicant is that he signed the sale deed as an attesting witness. Since it is a case of conspiracy and preparing forged documents and cheating the State with respect to government land, the present applicant is not entitled for anticipatory bail as anticipatory bail application of other co-accused Kailash Jethwani have been rejected by this court on 03.09.2026 in MCrCA No.1439 of 2026.

5. I have heard learned counsel for the parties and perused the case diary.

6. Considering the submissions made by the counsel for the parties, the nature of allegation against the present applicant and his role in the alleged transaction of sale of land in favour of Madhu Sudan Agrawal

through power of attorney Kailash Kumar Jethwani, it appears that his role was only to the extent of signing the sale deed dated 20.10.2022 executed in favour Madhu Sudan Agrawal by power of attorney Kailash Kumar Jethwani, as attesting witness to the said deed. From perusal of statement of the witnesses also it does not reveal that the applicant was having knowledge of transaction with respect to ownership of the land with Ujit Ram. Thus, taking into consideration all these facts and that he is having no criminal antecedent and also considering the fact that the allegation against present applicant is distinguishable with the allegation against other co-accused Kailash Jethwani. this court is inclined to extend the benefit of anticipatory bail to the present applicant.

7. Accordingly, the application is allowed. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a bond in the sum of Rs.50,000/- with one surety for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:

1. That, the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required;

2. The accused/applicant 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;

3. The accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

4. 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.

8. Certified copy, as per rules.

Sd/-
(Ravindra Kumar Agrawal)
Judge

inder