

(Shiv Singh Baghel Vs. State of MP)**30/04/2013**

Shri M. L. Yadav, Advocate for the applicant.

Ms. Nutan Saxena, Public Prosecutor for respondent/State.

Applicant apprehends arrest in connection with offences punishable u/Ss. 420, 467, 468, 471 of IPC registered as Crime No.499/12 at Police Station Dehat, Distt. Bhind.

Learned Public Prosecutor for the State opposed the application and prayed for its rejection by contending that on the basis of the allegations and the material available on record, no case for grant of anticipatory bail is made out.

Considering the facts that the applicant has submitted some fake challan and received benefits arising thereto and this incident has occurred between the period from 2004 to 2010 when the applicant was working as the public document writer and the factum of cheating and forgery is yet to be established and that the documents and necessary material/evidence are in possession of the respondent and applicant who is 43 years of age cannot influence the material or evidence and there is no likelihood of his fleeing away and that similarly placed co-accused Smt. Sadhna Tomar and Ajay Basediya have been extended the benefit of bail, therefore there is no reason to take different view in the case of the applicant, this Court is inclined to extend the benefit of anticipatory bail to the applicant.

Accordingly, without expressing opinion on merits of the case, I deem it appropriate to allow this application u/S 438 Cr.P.C in the following terms.

It is hereby directed that in the event of arrest, the applicant shall be released on bail on furnishing a personal bond of **Rs.1,00,000/-(Rupees One Lac only)** with two solvent sureties, each of Rs.50,000/-, to the satisfaction of

Arresting Authority :-

1. The applicant will comply with all the terms and conditions of the bonds executed by him;
2. The applicant will cooperate in the investigation/trial, as the case may be;
3. The applicant will not indulge himself in extending 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 the Police Officer, as the case may be;
4. The applicant shall not commit an offence similar to the offence of which he is accused.
5. The applicant will not seek unnecessary adjournments during the trial; and
6. The applicant will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be.

A copy of this order be sent to the Court concerned for compliance.

Certified copy as per rules.

**(Sheel Nagu)
Judge**

Mehfooz/-