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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 786 of 2025

Smt. Tara Devi Tiwari W/o Kashinath Tiwari Aged About 71 Years, R/o Kedarpur, Police Station And Tehsil Ambikapur, District- Surguja (C.G.)

... Applicant

versus

State Of Chhattisgarh Through- Police Station Balrampur, District – Balrampur-Ramanujganj (C.G.)

... Non-applicant

For Applicant	:	Mr. Manoj Paranjpe, Advocate.
For Non-applicant/State	:	Mr. Jitendra Shrivastava, Govt. Advocate.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

29.05.2025

1.   This anticipatory bail application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed by the applicant, who is apprehending his arrest in connection with Crime No. 52/2025, registered at Police Station – Balrampur, District – Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 318(4), 338, 336(3), 340(2), 61(2), 62 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS).

2.   The case of the prosecution, is that the FIR was lodged on 05.05.2025 alleging inter-alia that the complainant namlye Bolo had executed the sale deed dated 21.04.2025 in favour of the applicant Tara Devi and the

land bearing Khasra No. 132 total area 0.130 hectare has been sold to the applicant herein, subsequently, the FIR was lodged alleging that he was intended to disposed of 5 dismil of land, but by paying the amount of consideration to the tune of Rs. 2,50,000/- of the 5 dismil of land, the applicant got executed the sale deed of 32 dismil of land, it is alleged that as per the agreement the complainant was agreed to disposed of his land for a consideration of Rs. 50,000/- per dismal, subsequently, the relatives of the complainant have informed that the applicant got executed the sale deed in respect of his entire 32 dismil of land, it is alleged that the remaining amount of consideration of 27 dismil of land has not been paid. Hence, this application.

3.   It has been argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case. It is submitted that the present case is civil in nature, and the applicant happens to be an old lady aged about 71 years. Therefore, he prays for grant of anticipatory bail to the applicant.

4.   On the other hand, learned State counsel opposes the bail application and submits that the applicant is not entitled for grant of anticipatory bail in this case.

5.   I have heard learned counsel for the parties and perused the materials available on record.

6.   Considering the facts and circumstances of the case, nature and gravity of allegation leveled against the applicant, and from the perusal of the case diary it transpires that the present case is civil in nature, and the applicant happens to be an old lady aged about 71 years, at this stage without expressing any opinion on merits, this Court is of the view that the applicant is entitled to be granted anticipatory bail in this case.

7.   Accordingly, the instant MCRCA is **allowed** and it is directed that in the event of arrest of the applicant – **Smt. Tara Devi Tiwari** on executing a personal bond with one surety in the like sum to the satisfaction of the arresting Officer, he shall be released on bail on the following conditions:-

(a) The 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 from disclosing such fact to the Court.

(b) The Applicant shall not act in any manner which will be prejudicial to fair and expeditious trial.

(c) 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.

(d)The Applicant and the surety shall submit a copy of their adhaar card alongwith a colored postcard full size photo having printed the adhaar number on it, which shall be verified by the trial Court.

(e)The Applicant shall not involve themself in any offence of similar nature in future.

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Sd/-
(Ramesh Sinha)
CHIEF JUSTICE

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Siddhant