

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3471 of 2015**

- Ratan Lal Rajak S/o Shri Aanand Ram Rajak Aged About 37 years R/o Village- Dhavaipur, Thana/tahsil- Katghora, District Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through: District Magistrate, Thana-Balko Nagar, District Korba, Chhattisgarh

---- Non-Applicant

For Applicant: Shri Samir Singh, Advocate.
 For Non-Applicant/State: Shri R.K. Mishra, Deputy Advocate General.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****27/07/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 153/2014 registered at Police Station- Police Outpost Rajgamar, Thana – Balko Nagar, Distt. Korba (C.G.) for the offences punishable under Sections 420, 467 & 468/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that the present applicant along with other co-accused person cheated

complainant Jaipal Panchal by selling the government land on the basis of fake '*Rin Pustika*' and thereby committed the aforesaid offence.

(3) Learned counsel appearing for the applicant would submit that the applicant is innocent person and he has falsely been implicated in the crime in question. He would further submit that co-accused person namely Rattulal Agariya has already been granted regular bail by this Court vide order dated 12.09.2014 in M.Cr.C. No. 3991/2014. He further submits that applicant is in jail since 26.03.2014; and the charge sheet has already been filed against the applicant and, therefore, he may also be entitled for bail on the ground of parity.

(4) On the other hand, learned counsel for the State, after verifying the records, would submit that present case is similar to that of accused person, who has already been granted regular bail by this Court vide order dated 12.09.2014 in M.Cr.C. No. 3991/2014.

(5) Considering the totality of the facts, in particular the fact that co-accused person has already been granted regular bail by this Court vide order dated 12.09.2014 in M.Cr.C. No. 3991/2014; applicant is in jail since 26.03.2014; charge sheet has already been filed against the applicant & no custodial interrogation is required; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-