

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3735 of 2015**

- Surendra Shriwas, aged about 35 years, son of Melau Ram Shriwas, resident of Adarsh Nagar, Sirgitti, Police Station – Sirgitti, Tahsil and District – Bilaspur (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station – Sarkanda, District Bilaspur (C.G.)

---- Non-applicant

For Applicant:	Ms. Nirupama Bajpai, Advocate.
For Respondent/State:	Mr. Om P. Sahu, Deputy Advocate General.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****04/08/2015**

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. 302/2014 registered at Police Station Sarkanda, District Bilaspur for the offences punishable under Sections 420, 467, 468, 471 & 120-B of Indian Penal Code.

(2) Case of the prosecution, in brief, is that present applicant and other co-accused have sold the land held by Dhanu and Dhan Bai by forged power of attorney in favour of M/s. Pawansuit Builders and Developers 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 similarly situated co-accused person namely Surendra Shriwas has already been granted bail by this Court vide order dated 01.07.2015 in M.Cr.C. No. 2992/2015, and the applicant is in jail since 12.02.2015 and, therefore, the present applicant 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 namely Smt. Shanti Bai Shriwas, who has already been granted bail by this Court in M.Cr.C. No. 2992/2015

(5) Taking into consideration the facts & circumstances of the case and particularly the fact that similarly situated co-accused person namely Smt. Shanti Bai has already been granted bail by this Court vide order dated 01.07.2015 passed in M.Cr.C. No. 2992/2015; 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/-

