

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3927 of 2015**

Atul Tiwari, son of Shri Prakash Tiwari, aged about 35 years,
village- Mudpar, P.S. & Tahsil-Sarangarh, Civil and Revenue
Distt. Raigarh (C.G.)

.... Applicant**Versus**

State Of Chhattisgarh through Police Station Sarangarh, District
Raigarh (C.G.)

---- Respondent

For Applicant:	Mr. M.K. Sinha, Advocate.
For Non-applicant/State:	Mr. Anupam Dubey, Deputy Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****11/08/2015**

Heard.

(1) This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with crime No.303/2015 registered at Police Station Sarangarh, Distt.- Raigarh, for the offences punishable under Sections 419 & 420 of the Indian Penal Code.

(2) Case of the prosecution is that the applicant, by strength of forged death certificate of his uncle Awadhesh Tiwari, made an application for mutation of the land held by the said Awadhesh Tiwari and, thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant is adopted son of Awadhesh Tiwari and as such no forgery has been committed by him. He further submits that applicant has falsely been implicated in the offence in question by his aunt. He also submits that the applicant is in jail since 17.07.2015; and the substantial investigation has already been made and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case; further considering the nature of dispute and the relation between the complainant and the applicant; further considering his pre-trial detention and the substantial investigation has already been made; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the bail 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/-

(Sanjay K. Agrawal)

Judge

D/-