

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.4102 of 2015

Basant Yadav, S/o Sonsay Yadav, aged about 40 years, R/o Village Bagdeva Amarpur, Post Sutarra, Thana/Tahsil Katghora, Distt. Korba (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Thana Balko Nagar, Distt. Korba (C.G.)

---- Non-applicant

For Applicant:	Mr. Samir Singh, Advocate.
For Non-applicant:	Mr. Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

19/08/2015

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.153/2014 (Criminal Case No.756/2014 pending in the Court of Judicial Magistrate First Class, Korba), registered at Police Outpost Rajgamar, Police Station Balko Nagar, Distt. Korba, for the offence punishable under Sections 420, 467 and 468 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that the present applicant along with other co-accused persons cheated complainant Jaipal Panchal by selling Government land on the basis of fake 'Rin Pustika' and thereby committed the offence.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has been falsely implicated the crime in question. He would further submit that co-accused persons Rattulal

Agariya & Ratan Lal Rajak have already been granted regular bail by this Court vide orders dated 12-9-2014 & 27-7-2015 passed in M.Cr.C. Nos.3991/2014 & 3471/2015, respectively. He would also submit that the present applicant is in jail since 10-7-2014, charge-sheet has already been filed and the present applicant is also entitled for bail on the ground of parity.

4. On the other hand, learned State counsel after verifying the records would submit that case of the present applicant is similar to that of the co-accused persons who have already been granted regular bail by this Court vide orders dated 12-9-2014 & 27-7-2015 passed in M.Cr.C. Nos.3991/2014 & 3471/2015, respectively.
5. Considering the totality of the facts, particularly the fact that co-accused persons have already been granted regular bail by this Court, the present applicant is in jail since 10-7-2014, charge-sheet has already been filed and no custodial interrogation of the applicant is required, this Court is of the view that it is a fit case to grant regular bail to the present applicant also. Accordingly, the application is allowed.
6. It is, therefore, directed that the applicant be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge