

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6367 of 2015

1. Subrat Chakravarty, S/o. Sunil Kumar Chakravarty, aged about 53 years, R/o. B/16, Kendriy Karmachari Nagar, Durg, Tahsil and District Durg (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : District Magistrate, Civil and Revenue District - Durg (C.G.)

---- Respondent

For Applicant	: Mr. Amiyakant Tiwari, Advocate
For Respondent/State	: Mr. Anupam Dubey, Dy.Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

24/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.207/2012, registered at Police Station – Dhamdha, District – Durg (C.G.) for the offence punishable under Section 420, 467, 468, & 471 (Two times) of Indian Penal Code, 1860.
2. Case of the prosecution, in brief, is that a written report has been made by the complainant, Ajit Kumar Dixit alleging that one Kulwant Singh on the basis of forged power of attorney sold the land to Amit Sharma and Abhishek Sharma and received the amount of consideration on 19.11.2012. The allegation against the present applicant is that Kulwant Singh prepared forged power of attorney with the help of the present applicant and he has signed the power of attorney as an witness.

3. Learned counsel for the applicant would submit that the allegation against the present applicant is that he identified the Kulwant Singh in the power of attorney, which was said to be forged. It is further submitted that the charge sheet has been filed and the matter is still pending and decision of the case will take some time. He would further submit that the applicant is in jail since 03.12.2013 and therefore, prays that the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the fact that the material witnesses in this case are being examined and copy of the statements are placed on record and further taking into the fact that the applicant is in jail since 03.12.2013 and considering the fact that decision of the case will take time, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall 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 trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge