

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6639 of 2015

Sheikh Shahid @ Wahid S/o Abdul Hakim Aged About 59 Years R/o Camp-1, Jalebi Chowk, Ward No. 21, Beside Nahar-Nali, Police Station Chhawani, Tahsil & District- Durg (Chhattisgarh)

---- Applicant

Versus

State Of Chhattisgarh Through: District Magistrate, Durg, District- Durg (Chhattisgarh)

---- Respondent

For Applicant	:-	Mr. Ashish Gupta, Advocate
For Respondent/State	:-	Mr. Anil S. Pandey, G. A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07/12/2015

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. 147/2014, registered at Police Station – Purani Bhilai, District- Durg (C.G.) for the offence punishable under Sections 418,420,467,468,471 and 120 B read with section 34 of IPC.
2. As per prosecution case, one land which was recorded in the name of Shalemun Nisha showing Shalemun Nisha was to be dead in between the period 18.06.2007 to 06.11.2007 and was mutated in the name of Mohammad Abid which was sold and subsequently on that basis recorded the name of the applicant in the revenue record. Thereafter, on the basis of a written complaint the police has registered the offence against the present applicant and during the course of investigation the police has found the applicant is involved in the alleged crime and thereafter the name of Mohand Abid was reverted in the revenue record and the present applicant

has given the false evidence in the mutation proceedings and filed false affidavit in the name of Vahid S/o. Salil. Therefore, the offence was committed.

3. Counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in this case. He further submits that the applicant is aged about 60 years and he is suffering from various ailments and therefore, he may be enlarged on bail.
4. Per contra State counsel opposes the prayer for grant of bail.
5. Having regard to the fact that the charge sheet in this case has been filed and the evidence appears to be documentary in nature and further considering the detention of the applicant as he is in jail since 02.07.2015, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge