

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6862 of 2015

1. Fulsingh, S/o. Jagatram Rathiya, aged about 40 years, R/o. Village : Ghonchal, Police Station & Tahsil – Dharamjaigarh, District – Raigarh (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : District Magistrate, District – Raigarh (C.G.)

---- Respondent

For Applicant	: Mr. Shivendra Bharadwaj, Advocate
For Respondent/State	: Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14/12/2015

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.82/2015, registered at Police Station – Dharamjaigarh, District – Raigarh (C.G.) for the offence punishable under Section 420, 467, 468/34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant impersonated himself as a Anand and alongwith other co-accused has sold the land to Surajbhan, S/o. Mahesh Ram, thereby committed fraud.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. He would further submit that the charge sheet in this case has been filed and still it has to be substantiated that the applicant has impersonated or not. He would further submit that the applicant is in jail since 01.05.2015, therefore,

the counsel 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 facts and circumstances of the case and taking into consideration the nature and gravity of offence, further considering the fact that charge sheet in this case has been filed and the evidence in this case is in documentary in nature, the offences are triable by JMFC. Further taking into the fact that other co-accused person has been enlarged on bail by the Coordinate Bench of this Court in M.Cr.C.No. 5455/2015, vide order dated 12.10.2015 and the applicant is in jail since 01.05.2015, 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