

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.3145 of 2015**

1. Subran S/o. Shri Bhojram, aged about 45 years, Caste Kanwar, R/o Village Bakalo, P.S. Kapu, Tahsil Dharamjaigarh, Civil and Revenue District Raigarh (CG)
2. Surajbhan S/o Shri Jageshwar, aged about 40 years, Caste Kanwar, R/o Village-Bakalo, P.S. Kapu, Tahsil Dharamjaigarh, Civil and Revenue District Raigarh (CG)

---Applicants**Versus**

State of Chhattisgarh, Through – Station House Officer of the P.S. Dharamjaigarh, District Raigarh (CG)

---Non-applicant

For Applicants	:	Mr. Abhishek Saraf, Advocate
For Non-applicant	:	Mr. Ramakant Mishra, Dy. Advocate General

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****05/08/2015**

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 applicants who have been arrested in connection with Crime No. 82/2015, registered at Police Station-Dharamjaigarh, Distt.Raigarh (C.G.), for the offence punishable under Sections 420, 467 and 468/34 of the IPC.
2. Case of the prosecution, in brief, is that in joint holding held by Ram Kunwar, Beer Singh and Brindavati, joint holding was sold to co-accused Surajbhan Rakhi on 3.6.2015 in which Ful Singh impersonated him as Anand Ram joined the sale deed along with Ram Kunwar, Beer Singh and Brindavati and present applicants stood as witnesses in the sale deed.

3. Learned counsel for the applicants would submit that applicants have not committed any offence and have been falsely implicated in this case. He would further submit that they have only witnessed to the sale deed and purchaser Surajbhan Rakhi has been granted bail in M.Cr.C.(A) No.492 of 2015 vide order dated 30.6.2015 by a coordinate Bench of this Court. The applicant is in jail since 3.6.2015 and charge-sheet yet to be filed.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicants, who have witnessed to the sale deed and their pre-trial detention, this Court is of the opinion that present is the fit case, in which, the applicants 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 applicants **Subran** and **Surajbhan** shall be released on bail on their furnishing a personal bond in the sum of **Rs.25,000/-** each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-

