

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No. 3694 OF 2015**

Kuber Patel S/o Krishna Vallabh Patel, aged about 58 years, Occupation Revenue Inspector, R/o Revenue Inspector Office, Residence Kunkuri, Police Station Kunkuri, District Jashpur, Civil & Revenue District Jashpur (C.G.)
Permanent R/o Village Sarsamal, Police Station Pusoul, District Raigarh, Civil & Revenue District Raigarh (C.G.)

---Applicant

Versus

The State of Chhattisgarh, through Police Station Kunkuri, District Jashpur (C.G.)

---Non-applicant

For Applicant	:	Mr. A.K. Prasad, Advocate
For Non-applicant	:	Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****18/08/2015**

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 applicant who has been arrested in connection with Crime No. 101/14, registered at Police Station Kunkuri, District Jashpur (C.G.), for the offence punishable under Sections 420, 467, 468, 34 of I.P.C.

2. Case of the prosecution, in brief, is that, applicant granted *B-1 and Khasra Panchshala* to the co-accused Pradeep Kujur on the strength of forged order of Commissioner dated 07/12/2011 and also issued *Bhu-Adhikar Abhilekh* and thereby committed offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in question. He would further submit that pursuant to the order of Tahsildar, applicant issued *Khasra Panchshala* etc. to the co-accused Pradeep Kujur and on 30/05/2014, he issued *Kishtbandi Khatouni*, B-1 and spot map. He would further submit that the main accused-Pradeep Kujur has already been granted bail under Section 167(2) of the Cr.P.C. by the trial Court. He would also submit that applicant is only Revenue Inspector. He would lastly submit that charge sheet has been filed and applicant is in jail since 04/06/2015, therefore, he may be released on bail.
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 applicant in offence in question and the fact that he acted based upon the order of Tahsildar; charge sheet has been filed and he is in jail since 04/06/2015, this Court is of the opinion that present is the 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 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.

Tiwari

Sd/-
(Sanjay K. Agrawal)
JUDGE