NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C.No.3695 of 2015

Dinesh Kumar son of Siyaram, aged about 40 years, resident of Village-Bhathora, Tahsil-Katghora, District-Korba (CG)

---Applicant

Versus

State of Chhattisgarh Through: Station House Officer, Police Station – Dipka, District- Korba (CG)

---Non-applicant

For Applicant	:	Mr. V.R.Tiwari, Advocate
For Non-applicant	:	Mr. O.P.Sahu, Government Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

03/08/2015

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.66/2015, registered at Police Station-Dipka, Distt.Korba (C.G.), for the offence punishable under Sections 420, 467, 468, 471 and 120B/34 of the IPC.

2. Case of the prosecution, in brief, is that the present applicant has withdrawn an amount of Rs.6,75,128/- in lieu of land of Smt.Jagmuniya Bai acquired by impersonating one Smt.Mankunwar as of Smt.Jagmuniya Bai who has died in the year 1993 and thereby committed the aforesaid offence.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and has falsely been implicated in offence in question. Learned counsel would further submit that co-accused Narendra Kumar Rathore and Narendra Kumar Yadav have been admitted to bail by

this Court vide order dated 24.6.2015 in M.Cr.C.Nos.2730 and 2837 of 2015 and case of the present applicant is similar to that of other co-accused, therefore, he may be released on regular bail.

4. On the other hand, learned State counsel 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; the fact that bail was granted to co-accused, pre-trial detention of the applicant and also considering the fact that no loss has been caused to the SECL, 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.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-