

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C.No. 4260 OF 2015**

Anil Lakda, S/o Vivla Ram Lakda, aged about 45 years, R/o village Manpur,  
PS Shankargarh, Dist. Balrampur Ramanujganj (CG)

**---Applicant****Versus**

State of Chhattisgarh, Through the Station House Officer, Police Station  
Shankargarh, Dist. Balrampur Ramanujganj (CG)

**---Non-applicant**


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| For Applicant     | : | Mr. Jitendra Shrivastava, Advocate |
| For Non-applicant | : | Mr. Neeraj Jain, Govt. Advocate    |

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**Hon'ble Shri Justice Sanjay K. Agrawal****Order on Board****01/09/2015**

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. 52/2015, registered at Police Station Shankargarh Balrampur Ramanujganj, for the offence punishable under Sections 420, 467, 468, 471 & 120-B of Indian Penal Code.

2. Case of the prosecution, in brief, is that, Sastu sold joint land held with complainant Phoolchand to Anuja on 20/12/2015 by registered sale deed dated 20/02/2015, in which, Phoolikarp Bakla impersonated himself as Phoolchand and applicant stood as a witness.

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 applicant is only witness to the said document and he is not identified Phoolikarp Bakla as Phoolchand and he is

not aware of the sale deed. He would lastly submit that applicant is in jail since 25/06/2015, 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 applicant in offence in question; applicant is only witness to the sale deed and pretrial detention of the applicant, 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