

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4375 OF 2015**

Mohammad Farid Khan, S/o Abdul Rasid Khan, aged about 32 years, r/o Lalpur, Raipur, PS Tikrapara, Raipur, Dist.Raipur (CG)

---Applicant**Versus**

State of Chhattisgarh, Through the Station House Officer, Police Chowki Birejhar, Police Station Khurud, Dist.Dhamtari (CG)

---Non-applicant

For Applicant	:	Mr. B.D.Guru, Advocate.
For-Non-applicant	:	Mr. Anupam Dubey, Dy.Govt.Advocate

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.284/2015, registered at Police Chowki-Birejhar, Police Station-Kurud, District Raipur (C.G.), for the offence punishable under Section 420/34 of the IPC.

2. Case of the prosecution, in brief, is that, the present applicant and other three co-accused persons being related to Pragati Group of Companies got the complainant's 0.790 hectare of the land to be registered in the name of the present applicant and issued bond of Rs.30,00,000/- promising to be triple in six years and six months and also issued cheque of Rs.2,00,000/-, which become dishonored and thereby committed the aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in the case. He

would further submit that the applicant has paid the amount in cash i.e. Rs.8,77,000/- and got the land registered in his name. He would also submit that he is not related with Pragati Group of Companies, he is in jail since 5.8.2015 and therefore, he may be enlarged on bail.

4. Learned State counsel would oppose the prayer for grant of bail and submit that the present applicant is related with Pragati Group of Companies and by cheating he got the land of the complainant registered in his name without paying any consideration and issued cheque, which has been dishonored and bond, which is fake and therefore, he is not entitled to be released on bail.

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 manner in which the applicant got the land of the complainant registered in his name without making payment of consideration and further the manner in which the cheque issued become dishonored and fake bond was issued to the complainant and evidence available on record, this Court is not inclined to release the applicant on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

B/-

