

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.4591 of 2015**

Tikam Singh S/o Late Mohan Singh, aged about 27 years, R/o Village Abhaypur, Police Station and Tahsil Premnagar, Civil and Revenue District Surajpur, District-Surajpur (CG)

---Applicant**Versus**

State of Chhattisgarh Through: Station House officer, Police Station Premnagar, District–Surajpur (CG)

---Non-applicant

For Applicant	:	Mr. Anil Gulati, Advocate
For Non-applicant	:	Mr. Neeraj Jain, Government Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****07/09/2015**

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.23/2015, registered at Police Station-Premnagar, District-Surajpur (CG), for the offence punishable under Sections 420, 467, 468 and 120/34 of the IPC.

2. Case of the prosecution, in brief, is that Bhikham and Amraso Bai sold the subject suit land jointly held by them along with complainant Manglu, son of Sohan to co-accused Lalla Ramby vide registered sale deed dated 29.10.2014 by cash consideration of Rs.5,00,000/-.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that the present applicant is also co-owner of the suit land and he has given 'No Objection that Bhikham and Amraso Bai are at liberty to sale their own land, the applicant is jail since 17.5.2015 and charge-sheet has already been filed and therefore, he may be enlarged 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, his pre-trial detention, taking note of the fact that the present applicant is also co-owner of the land and Dubraj & Lalla Ram have already granted bail by this Court vide order dated 6.4.2015 in M.Cr.C.Nos.1441 and 1510 of 2015, this Court is of the opinion that present is a 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/-