

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5950 of 2015

1. Mukesh Jaiswal, S/o. Dayashankar Jaiswal, aged about 26 years, Caste-Kalvar, Occupation-Agriculture, R/o. Village- Govindpur, P.S. Ramkola, Tahsil Pratappur, District Surajpur (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : the Station House Officer, Police Station - Chalgali, District Balrampur-Ramanujganj (C.G.)

---- Respondent

For Applicant	: Mr. Jitendra Shrivastava, Advocate
For Respondent/State	: Mr. Ashish Shukla, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05/11/2015

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.27/2015, registered at Police Station – Chalgali, District Balrampur, Ramanujganj (C.G.) for the offence punishable under Section 420, 467, 468, 471/34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant alongwith co-accused Lal Sai, get a sale deed executed by one Adal Singh in favour of Shankar, Ramjeevan and Surendra by impersonating other and was identified by Lal Sai and Mukesh, the present applicant. When such purchasers got possession of the land then Adal Singh objected, subsequently, it was found that Adal Singh has not executed any sale.

3. Learned counsel for the applicant would submit that the applicant is in jail since 08.04.2015 and the entire amount i.e. Rs.20.00 lakhs has been transferred in the account of Lal Sai and he has not received any amount. He further submits that in another similar like nature of the case, the applicant was granted bail in M.Cr.C. No.5077/2015 order dated 23.09.2015, consequently, since the charge sheet has been filed, the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the fact that entire amount was stated to be transferred in account of Lal Sai, which is not disputed by the State Counsel and the fact that in the similar like nature of the case, the applicant has been enlarged on bail and considering the fact that the applicant is in jail since 08.04.2015, 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 his 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/-
(Goutam Bhaduri)
Judge