

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5970 of 2015

Nand Kumar Nishad S/o Late Vishay Ram Nishad Aged About 61
Years R/o Village Parsada P.S. Abhanpur, Tahsil Abhanpur, District
Raipur Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
City Kotwali Gariyaband District Gariyaband Chhattisgarh

---- Respondent

For applicant - Shri C.R. Sahu, Advocate.
For Respondent/State – Shri Neeraj Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

16/11/2015

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 106/2015 registered in Police Station City Kotwali, Gariyaband, Distt. Gariyaband (C.G.) for offence punishable under section 420, 467, 468, 471, 120-B of IPC & Section 3(1) (4) of Scheduled Tribe and Scheduled Caste (Prevention of Atrocity) Act.
2. As per the prosecution case, one Geeta Bai had purchased property representing herself to be scheduled tribe without obtaining prior permission from the Collector under Section 165 (6) (ii) of the Chhattisgarh Land Revenue Code, 1959 and the applicant being husband scribed his signature as attesting witness in such document.
3. Learned counsel for the applicant submits that main accused Geeta

Bai has been enlarged on bail by the coordinate bench of this court in M.Cr.C. No.5013 of 2015 and charges against this applicant is lesser in nature and he has only identified, therefore he may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Having regard to the fact that co-accused Geeta Bai has been enlarged on bail by the coordinate bench of this court in M.Cr.C. No.5013 of 2015 on 22/09/2015 and taking into account nature of allegation against this applicant and he is in jail since 22/08/2015, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE