

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6010 of 2015

1. Bhim Kumar Sahu, S/o. Hiraram Sahu, aged about 48 years, R/o. Village – Turijhar, Police Station – Tendukona, Civil & Revenue District – Mahasamund (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : Police Station – Sankra, District - Mahasamund (C.G.)

---- Respondent

For Applicant	: Mr. Hemant Kesharwani, Advocate
For Respondent/State	: Mr. O.P. Sahu, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16/11/2015

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.117/2013, registered at Police Station – Sankra, District – Mahasamund (C.G.) for the offence punishable under Section 420, 467, 468 of Indian Penal Code.
2. Case of the prosecution, in brief, is that applicant, who is working as Patwari interpolated the B-1 wherein the name of Koshla Bai Wd/o. Dilip Caste Rawat has been interpolated as Kaushilya Bai, W/o. Dilip, even Kaushilya Bai died on 15.10.2007, and 20 points query for registration of the land was issued on 26.07.2011.
3. Learned counsel for the applicant would submit that initially by the order of Tahsildar dated 02.07.2013, FIR was directed to be registered against the applicant, which was subject of challenge before the SDO

and SDO by its order dated 25.02.2015 has set-aside such registration of FIR, therefore, no offence can be made against this applicant. Therefore, he prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application and submit that primary finding is on record that interpolation in B-1 is made, wherein the name of Kaushilya Bai was recorded. He would further submit that the investigation is still going on, therefore, the applicant may not be enlarged on bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into the allegations levelled against the applicant and the fact that the investigation is still going on and considering the nature of the offence and the applicant is working as Patwari, I am not inclined to allow this application.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge