

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6529 of 2015

1. Sastu Lakda, S/o. Vifeiya Ram, Aged About 37 Years.
2. Pulikar Bakla, S/o. Bamboo Ram, Aged About 34 Years.

Both are R/o. Village Manpur, P.S. Shankargarh, Distt. Balrampur-
Ramanujganj, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through the Station House Officer, P.S.
Shankargarh, Distt. Balrampur - Ramanujganj, Chhattisgarh

---- Respondent

For Applicant : Mr. Jitendra Shrivastava, Advocate

For Respondent : Mr. Anil S Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

01/12/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.52/2015 registered at Police Station- Shankargarh, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Section 420, 467, 468, 471 & 120-B of Indian Penal Code.
2. As per the prosecution case, in brief, the applicant No.1, Sastu, was holding joint land with Phoolchand and he sold the said land to one Anuja on 20.12.2015 by a registered sale deed by falsely personified Phoolchand as Pulikar Bakla, applicant No.2 and thereafter on the report of Phoolchand, the investigation was made and the case was registered.
3. Learned counsel for the applicants submits that the charge sheet in this case has been filed and it is not in dispute that the land was

hold jointly by the applicant No.1 and brother of the applicant No.1, Phoolchand, has lodged a report against them and therefore considering the detention the applicants, they may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the facts and circumstances of the case and the manner in which the offence is alleged to have been committed and further taking into account the nature of evidence which is documentary in nature for which the charge sheet has been filed and further taking into detention of the applicants as they are in jail since 24.06.2015 and the offence are triable by JMFC, I am inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicants shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge