

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4846 of 2015**

- Laxman Chandra, S/o Shri Kaushal Chandra, Aged about – 37 years, R/o Village, Post & Police Station – Kosir, Tahsil-Sarangarh, Civil & Revenue District – Raigarh (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through Officer-In-Charge, Police Station -Chakradhar Nagar, Civil & Revenue District – Raigarh (C.G.)

---- Non-applicant

For Applicant: Mr. Ramesh Nayak, Advocate.
For Respondent/State: Mr. Arvind Dubey, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****21/09/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 361/2012 registered at Police Station Chakradhar Nagar, District Raigarh (C.G.) for the offences punishable under Sections 419, 420, 467, 468, 471 & 120-B/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that co-accused Thandaram Khadiya while working as Patwari Halka No.37,

Raigarh mutated the name of Shyamlal in place of Ramlal original holder of the land and one Badkala impersonating sold the land on 26.02.2010 to another co-accused Nitin Sinha and applicant Laxman Chandra and thereby committed the aforesaid offences.

(3) Learned counsel appearing for the applicant would submit that the applicant is innocent person and he has falsely been implicated in the crime in question. He would further submit that co-accused – Nitin Sinha, who is bonfidey purchaser of the land, has already been granted regular bail by this Court vide order dated 29.06.2015 in M.Cr.C. No. 2729/2015 and, therefore, the present applicant may also be entitled for bail on the ground of parity.

(4) On the other hand, learned counsel for the State, after verifying the records, would submit that present case is similar to that of accused person, who has already been granted regular bail by this Court vide order dated 29.06.2015 in M.Cr.C. No. 2729/2015.

(5) Considering the totality of the facts, in particular the fact that co-accused person has already been granted regular bail by this Court vide order dated 29.06.2015 in M.Cr.C. No. 2729; and the applicant is in jail since 10.08.2015; charge sheet has already filed and no custodial interrogation is required; this court is of the view that it is a fit case to release the applicant on bail.

Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-