

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.5063 of 2015**

Manglu S/o Naresh Sahu aged about 55 years, Caste-Sahu, Occupation-Agriculturist, R/o Village Piparbhattha, Police Station-Bemetara, Tahsil, Civil and Revenue District Bemetara (CG)

---Applicant

Versus

State of Chhattisgarh Through: the Police Station Bemetara, Civil and Revenue District Bemetara (CG)

---Non-applicant

For Applicant	:	Mr. P.P. Sahu, Advocate
For Non-applicant	:	Mr. Anupam Dubey, Dy.Govt.Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

22/09/2015

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.363/2015, registered at Police Station-Bemetara, District-Bemetara (C.G.), for the offence punishable under Sections 420, 467, 468 and 471 of the IPC.
2. Case of the prosecution, in brief, is that co-accused Sushil got his name mutated in the revenue records in place of late Nanku Ram by order of Tahsildar dated 30.6.2014 on the basis of forged documents in which the present applicant has sworn his affidavit in support of Sushil and thereby committed the aforesaid offence.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that co-accused Sushil and Lobhan Verma have been enlarged on bail by this Court vide orders dated 24.8.2015 and 15.9.2015 in M.Cr.C.Nos.4252 and 4868 of 2015. He would also submit that the applicant is in

jail since 31.8.2015 and charge-sheet has already been filed and therefore, he may be enlarged on bail.

4. On the other hand, learned State counsel would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicant; his pre-trial detention and the fact that bail was granted to co-accused Sushil and Lobhan Verma, 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/-

(Sanjay K. Agrawal)
JUDGE

B/-