

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 409 OF 2016**

Lalsai Shyam @ Munna S/o Sahadev aged about 31 years R/o village Ghumadana PS Chandora Dist. Balrampur-Ramanujganj (C.G.)

---Applicant**Versus**

State of Chhattisgarh through the Station House Officer Police Station Chalgali Dist. Balrampur-Ramanujganj (C.G.).

---Non-applicant

For Applicant : Mr. Jitendra Shrivastava, Advocate.
For-Non-applicant : Mr. Neeraj Kumar Sharma, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****16/02/2016**

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. 27/2015, registered at Police Station Chalgali, District Balrampur-Ramanujganj (C.G.),

for the offence punishable under Sections 420, 467, 468, 469, 471/34 of the I.P.C.

2. Case of the prosecution, in brief, is that, applicant along with other co-accused obtained Rs.20 Lacs from the complainants and thereafter executed forged sale deed and thereby committed aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in the case. He would further submit that co-accused Mukesh Jaiswal has already been granted regular bail by Co-ordinate Bench of this Court in M.Cr.C. No.5950/2015 on 05/11/2015 and his case is similar to Mukesh Jaiswal. He would further submit that applicant is in jail since 08/04/2015 and no useful purpose would be served by keeping him in jail. He would lastly submit that charge sheet has been filed, therefore, he may be released on bail.

4. Learned State counsel would oppose the prayer for grant of bail and submit that amount in question was transferred in the account of applicant, which is apparent

from order dated 05/11/2015, therefore, he is not entitled to be released on bail.

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; amount in question of Rs.20 Lacs has been transferred in the account of applicant; forged sale deed is said to have been executed and the fact that case of applicant is distinguishable to Mukesh Jaiswal, who has already granted regular bail, I am not inclined to release the applicant on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE