

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 655 OF 2016**

Santoshi Sahu son of Shriram Sahu aged about 40 years
resident of village Vyasnagar Post Bhainso Police Station
Pamgarh District Janjgir-Champa (C.G.)

---Applicant**Versus**

State of Chhattisgarh through Station House Officer
Police Station Masturi District Bilaspur (C.G.)

---Non-applicant

For Applicant	:	Mr. Vivek Ranjan Tiwari, Advocate
For Non-applicant	:	Mr. Adhiraj Surana, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****18/02/2016**

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. 408/2015, registered at Police Station Masturi District Bilaspur (C.G.), for the offence punishable under Sections 420, 467, 468, 471, 120-B of

I.P.C.

2. Case of the prosecution, in brief, is that complainant, her sisters- Smt. Shanti Bhardwaj, Smt. Usha Narmada and Smt. Sandhya Kaushik and accused Omprakash Goutam are owners of the land, Area 5.90 acres situated at Village Nirtu. It was further allegation that the co-accused Omprakash Goutam by impersonating some other women as his sisters, Smt. Shanti Bhardwaj, Smt. Usha Narmada and Smt. Sandhya Kaushik got executed power of attorney. On the basis of said power of attorney, co-accused Omprakash Goutam sold the aforesaid land to Smt. Kaushilya Bai through registered sale deed. Allegation against the present applicant is that applicant induced other women to appear before the Deputy Registrar in place of sisters of Omprakash Goutam for execution of power of attorney 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 this case. He would further

submit that applicant has not played any role in offence in question except the statement of co-accused Savitri Bai. He would further submit that applicant is not beneficiary and she is woman aged about 40 years and is resident of Vyasnagar, whereas transaction place is of village Nirtu. He would lastly submit that applicant is in jail since 01/01/2016, therefore, she may be released on bail.

4. On the other hand, learned counsel for the State 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; applicant is only alleged to induce co-accused; applicant is not beneficiary in the said transaction; applicant is woman, aged about 40 years and she is in jail since 01/01/2016, this Court is of the opinion that present is the 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 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 her appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge