

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1788 of 2016**

Ashish Jain, S/o Late Rajendra Kumar Jain, Aged about 40 years, R/o 22, Prem Pushp Vihar, Jalvihar Colony, Raipur (C.G.)

---- Applicant

Versus

State Of Chhattisgarh: Through, Station House Officer,
Police Station-New Rajendra Nagar, Raipur (C.G.)

-----Non-applicant

For Applicant: Mrs. Fouzia Mirza, Advocate.
For Non-applicant/State: Mr. D.R. Minj, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****31/03/2016**

Heard.

(1) The accused/applicant has preferred 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.17/2015 registered at Police Station –New Rajendra Nagar, Distt. Raipur (C.G.) for the offences punishable under Sections 420, 467, 468, 471 & 120-B of Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant made forged signature of complainant Kavita Jain and others complainants in the application for grant of lay out approval and thereby obtained lay out approval of the suit land and thereafter made building on it and sold the same and thereby committed aforesaid offences.

(3) Learned counsel for the applicant submits that applicant has purchased the suit land by making sale consideration by way of sale agreement and entire amount has been paid and no cheating has been committed by the applicant. She further submits that applicant is languishing in jail since 25.08.2015; charge sheet has been filed and no custodial interrogation is required and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case; role of the present applicant with regard to making forged signature in the application of lay out approval; his pre trial detention and the charge sheet has been filed; 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.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

