

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2957 of 2016

1. Dhajaram, S/o. Hariharsai, Aged About 50 Years, Caste Sahu, R/o. Sakreli Kala, Tahsil Sakti, District Janjgir-Champa, Chhattisgarh.
2. Fagulal, S/o. Borra, Aged About 52 Years, Caste Gond, R/o. Borda, Tahsil Sakti, District Janjgir-Champa, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh, Through: District Magistrate, Janjgir, District Janjgir-Champa and also Through Police Station Sakti, District Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicants : Mr. Pushpendra Kumar Patel, Advocate

For Respondent : Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

21.06.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.264/2015, registered at Police Station- Sakti, District Janjgir-Champa (C.G.) for the offence punishable under Sections 420, 467, 468, 506, 34, 419, 120-B, 384 of Indian Penal Code.
2. Case of the prosecution, in brief, is that initially a sale was made by Bhajoram, Shobharam & Dhajaram but in such sale deed on 30.05.2015 Bhajoram was personated by Fagulal and Sobharam was personated by Dilip Singh and sale was made in favour of Manish Agrawal. Subsequently, Manish Agrawal got the sale deed executed by the owner Bhajoram on 21.08.2015. The allegations are that on earlier occasion on 30.05.2015 false personification was

made at the instance of Dhajaram, as Fagual appeared as Bhajoram and Dilip Singh appeared as Shobharam.

3. Learned counsel for the applicant would submit that the charge sheet in this case has been filed and even if the alleged sale was not proper, the rectification was already been made in the subsequent sale deed. It is further submitted that no further evidence is required as all the evidence is documentary in nature and the applicants are in jail since 05.02.2016 and 15.02.2016 respectively; therefore, they may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. The charge sheet in this case has been filed. Considering the nature of allegation and the fact that the evidence is documentary in nature and further taking into fact that the trial may take some time and the applicant No.1 is in jail since 05.02.2016 and applicant No.2 is in jail since 15.02.2016, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge