

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.3665 of 2016**

Ranjeet Singh @ Banti Sirdar S/o Harcharan Singh, aged about 42 years,
R/o Village Q.No.H 1127, Vikaspuri, Near Bichhouri Gurudwara, H-Block
Vikaspuri, P.S. Vikaspuri, District Vikaspuri (West) New Delhi

---Applicant**Versus**

State of Chhattisgarh Through–Police Station Kotwali, District Korba
(CG)

---Non-applicant

For Applicant	:	Mr. M.P.S.Bhatia and Mr.Vikas Pandey, Advocates
For Non-applicant	:	Mr. Neeraj Jain, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****29/07/2016**

1. This is the second 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.13/2016, registered at Police Station-Kotwali, District-Korba (CG), for the offence punishable under Sections 411, 419, 420, 467, 468, 471 and 201 of the IPC.

2. First bail application of the applicant has been dismissed as withdrawn with liberty to repeat after the material prosecution witnesses are examined.

3. Case of the prosecution, in brief, is that on 2.1.2016 co-accused Vaibhav Singh committed forgery and purchased a car by forged D.D. from Krishna Hundai, Korba and sold it to the present applicant and thereby committed the aforesaid offences.

4. Mr.M.P.S.Bhatia and Mr.Vikas Pandey, learned counsel appearing for the applicant, would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. They would further submit that on 16.5.2016 the trial Court has framed the charges under Sections 427, 201 and 411 of the IPC against the present applicant, 16 prosecution witnesses have already been examined and they have not supported the case of the prosecution. They would also submit that offence under Sections 427 and 201 of the IPC are bailable and only offence under Section 411 of the IPC is non-bailable, in which 3 years punishment or fine or both is prescribed. The applicant is in jail since 4.2.2016 i.e. about six months and no further interrogation is required as the trial is on advance stage and no useful purpose will be served by keeping him in jail, therefore, he may be released on bail.

5. On the other hand, Mr.Neeraj Jain, learned counsel for the State, would oppose the bail application and submit that the applicant is involved in so many other similar offences, but on being asked he is unable to give crime numbers in which the applicant is sought to be committed the similar offences.

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

7. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, particularly taking into consideration that charges under Sections 427, 201 and 411 of the IPC have been framed against the applicant in which only charge under Section 411 of the IPC is non-bailable, the fact that the applicant is in custody since 4.2.2016, 16

prosecution witnesses have already been examined, no further interrogation is required and charge that by producing forged D.D. car has been purchased is against co-accused Vaibhav Singh and not against the present applicant, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

8. Accordingly, the second bail application filed under Section 439 of the Cr.P.C. is allowed.

9. It is directed that the 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.

Certified copy today

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-