

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2400 of 2016

- Shobhnath Yadav S/o Chherka Yadav Aged About 90 Years R/o Village Aankadih, Police Station Masturi, District Bilaspur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Masturi, District Bilaspur Chhattisgarh.

---- Respondent

For Applicant : Mr. Vimlesh Bajpai, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

20.06.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.31/2015, registered at Police Station Masturi, District – Bilaspur (C.G.) for the offence punishable under Sections 419, 420, 467, 468, 471, 120B of the Indian Penal Code.
2. As per case of the prosecution the applicant inconvenience with other co-accused present himself as Basant Kumar and sold the land by preparing forged documents and put his thumb impression on the said sale-deed and thereby committed the said offence.
3. Learned counsel for the applicant would submit that the applicant is aged about 91 years which would be evident from the Adharcard. He further submits that the applicant went for mutation of certain land in his name and by the other co-accused have got the thumb impression of the applicant.
4. Per contra, learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary and the documents. Considering the fact of this case, nature and gravity of the offence and also considering to the evidence which is documentary in nature that the applicant is aged about 91 years and further taking into consideration of the fact that the applicant is in jail since 27.03.2016, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. 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.

Sd/-
(Goutam Bhaduri)
Judge