

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2848 of 2016

Manish Agrawal S/O Jagdish Agrawal Aged About 32 Years R/O
Ambikapur Road, Pathalgaon, Tehsil & Police Station - Pathalgaon,
District - Jashpur, Chhattisgarh

---- Applicant

Versus

State of Chhattisgarh Through Police Station Incharge, Police Station -
Pathalgaon, District - Jashpur Chhattisgarh

---- Respondent

For Applicant	:-	Dr. Nirmal Shukla, Sr. Advocate along with Mr. Ankit Singhal, Advocate
For Respondent/ State	:-	Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

15/06/2016

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. 296/2015 registered at Police Station- Pathalgaon, District Jashpur (C.G.) for the offence punishable under Sections 420,467,468,471,120(B) of Indian Penal Code.
2. Case of the prosecution in brief, is that, the applicant in connivance with the other persons got sale deed executed from Chamru Gond S/o. Kurso in his name on 12.08.2013. In fact the land belonging to Ransai S/o. Pakeram Gond who had executed sale deed in favour of Harihar Singh S/o. Thakur Singh Gond who was an aboriginal tribe on 10.07.2013. Subsequently by manipulating in the revenue records the sale deed got executed in favour of the applicant.

3. Counsel for the applicant submits that the charge-sheet has been filed in this case and after the rejection of the anticipatory bail application by this Court on 29.02.2016, as per the direction of the Hon'ble Supreme Court, the applicant has already been surrendered before the Court below on 25.04.2015. He further that the offence is triable by JMFC and it will take some time. He further submits that the applicant is in jail since 25.04.2016, therefore, the applicant may be enlarged on bail.
4. Per contra State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the document. Perusal of the case diary and the document would show that the charge-sheet has been filed in this case and all the nature of offence it appears, prima facie, is documentary in nature and further considering the fact that no further investigation is necessary and considering the detention period of the applicant, as he is in jail since 25.04.2016, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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