

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1288 of 2016**

Gorelal Jangde 42 years S/o Agarmal Jangde (wrongly mentioned Agarmen) Village Mudpar PS Bilaigarh District Balodabazar Bhatapara C.G.

---Applicant**Versus**

State of Chhattisgarh by SHO PS Bilaigarh District Balodabazar Bhatapara C.G.

---Non-applicant**And****M.Cr.C. No. 1420 of 2016**

Chitranjan Kumar S/o Dwasram Kaiwart aged about 41 years caste Kaiwart village Deoraha P.S. and Tehsil Bhilaigarh District Balodabazar Bhatapara C.G.

---Applicant**Versus**

State of Chhattisgarh through Police Station Bilaigarh District Balodabazar Bhatapara C.G.

---Non-applicant

For Applicants	:	Mr. Raja Sharma and Mr. Rakesh Pandey, Advocates
For Non-applicant	:	Mr. Dhiraj Wankhede, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

15/03/2016

1. Above mentioned two bail applications arise out of a common Crime No. 06/2016, registered at Police Station Bilaigarh, Distt. Balodabazar Bhatapara (C.G.), for the offence punishable under Sections 420, 467, 468, 471 r/w 34 of IPC, therefore, they are being heard analogously and decided by this common order. All the two are first bail applications filed under Section 439 of the Cr.P.C.

2. Case of the prosecution, in brief, is that, present applicants made forged entry in the record of the Gram Panchayat Mudipar with respect to lease of tank situated at Village Mudipar and manipulated period of lease in place of six years to ten years on 13/03/2010 and thereby committed aforesaid offence.

3. Learned counsel for the applicants would submit that applicants have not committed any offence and they have been falsely implicated in the offence in question. He would further submit that FIR has been lodged after six

years and applicant Gorelal Jangde only work for less than six years. He would further submit that there is no explanation of delay in lodging the FIR. He would lastly submit that charge sheet has been filed and applicants are in jail since 08/01/2016 and 21/01/2016 respectively, therefore, they may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that there is clear evidence against both the applicants.

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

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicants in offence in question; extent of delay in lodging the FIR and pretrial detention of the applicants, this Court is of the opinion that present is the fit case, in which, applicants should be enlarged on regular bail.

7. Accordingly, the bail applications (M.Cr.C. Nos. 1288/2016 & 1420/2016) filed under Section 439 of the

Code of Criminal Procedure are allowed.

8. It is directed that applicants, namely, **Gorela Jangde and Chitranjan Kumar** shall be released on bail on their furnishing a personal bond in the sum of **Rs.25,000/-** each with one surety in the like sum to the satisfaction of the concerned trial Court for their appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge