

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4450 of 2016

- Kallu Singh @ Narendra Singh S/O Rain Singh Aged About 37 Years R/O Village - Bhadaura, Police Station - Masturi, Distt. Bilaspur Chhattisgarh

---- Applicant

Versus

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

---- Respondent

MCRC No. 4457 of 2016

- Kallu Singh @ Narendra Singh S/O Rain Singh Aged About 37 Years R/O Village - Bhadaura, Police Station - Masturi, Distt. Bilaspur Chhattisgarh

---- Applicant

Versus

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

---- Respondent

MCRC No. 4458 of 2016

- Kallu Singh @ Narendra Singh S/O Rain Singh Aged About 37 Years R/O Village - Bhadaura, Police Station - Masturi, Distt. Bilaspur Chhattisgarh

---- Applicant

Versus

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

---- Respondent

MCRC No. 4454 of 2016

- Kallu Singh @ Narendra Singh S/O Rain Singh Aged About 37 Years R/O Village - Bhadaura, Police Station - Masturi, Distt. Bilaspur Chhattisgarh

---- Applicant

Versus

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

---- Respondent

MCRC No. 4455 of 2016

- Kallu Singh @ Narendra Singh S/O Rain Singh Aged About 37 Years R/O Village - Bhadaura, Police Station - Masturi, Distt. Bilaspur Chhattisgarh

---- Applicant

Versus

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

---- Respondent

MCRC No. 4456 of 2016

- Kallu Singh @ Narendra Singh S/O Rain Singh Aged About 37 Years R/O Village - Bhadaura, Police Station - Masturi, Distt. Bilaspur Chhattisgarh

---- Applicant

Versus

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

---- Respondent

MCRC No. 4553 of 2016

- Kallu Singh @ Narendra Singh S/O Rain Singh Aged About 37 Years R/O Village - Bhadaura, Police Station - Masturi, Distt. Bilaspur Chhattisgarh

---- Applicant

Versus

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

---- Respondent

MCRC No. 4552 of 2016

- Kallu Singh @ Narendra Singh S/O Rain Singh Aged About 37 Years R/O Village - Bhadaura, Police Station - Masturi, Distt. Bilaspur Chhattisgarh

---- Applicant

Versus

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

---- Respondent

MCRC No. 4555 of 2016

- Kallu Singh @ Narendra Singh S/O Rain Singh Aged About 37 Years R/O Village - Bhadaura, Police Station - Masturi, Distt. Bilaspur Chhattisgarh

---- Applicant

Versus

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

---- Respondent

MCRC No. 4556 of 2016

- Kallu Singh @ Narendra Singh S/O Rain Singh Aged About 37 Years R/O Village - Bhadaura, Police Station - Masturi, Distt. Bilaspur Chhattisgarh

---- Applicant

Versus

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

---- Respondent

MCRC No. 4566 of 2016

- Kallu Singh @ Narendra Singh S/O Rain Singh Aged About 37 Years R/O Village - Bhadaura, Police Station - Masturi, Distt. Bilaspur Chhattisgarh

---- Applicant

Versus

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

---- Respondent

&

MCRC No. 4565 of 2016

- Kallu Singh @ Narendra Singh S/O Rain Singh Aged About 37 Years R/O Village - Bhadaura, Police Station - Masturi, Distt. Bilaspur Chhattisgarh

---- Applicant

Versus

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

---- Respondent

For Applicants : Mr. Awadh Tripathi, Advocate

For Respondent/State : Mr. Anil S. Pandey, Govt. Advocate & Mr. Neeraj Kumar Sharma, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29-08-2016

1. Since all the aforesaid bail applications are in similar nature of offences, they are heard analogously and are being disposed of by this common order.
2. These are first bail applications filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 26-04-2016 in connection with Crime Nos. 38 of 2015, 34 of 2015, 44 of 2015, 43 of 2016, 36 of 2015, 35 of 2015, 33 of 2015, 31 of 2015, 39 of 2015, 32 of 2015, 41 of 2015 and 42 of 2015, registered at Police Station Masturi, District Bilaspur (CG) for the offence punishable under Sections 420, 419, 467, 468, 471 and 120-B of the IPC.
3. Case of the prosecution is that initially enquiry was made on 11-03-2013 by the Additional Collector and other members and on that basis seven cases were registered against different accused persons wherein sale of land at village Bhadaura has been sold. Subsequently, in those cases the applicant was one of the accused persons and the applicant along with other co-accused persons has been convicted. The learned Judicial Magistrate First Class, after evaluating the evidence, arrived at a finding that, it appears that further cases of similar nature for the same offence of fabricated sale deed have been committed and the Judicial Magistrate had ordered for an enquiry. After that enquiry present cases have been registered against the applicant.
4. Learned counsel appearing for the applicant would submit that in all the cases charge-sheets have been filed and only on the direction of the Judicial Magistrate First Class, present cases have been registered against the applicant. Neither the applicant is a seller nor is a party to any sale deed. Earlier also for the same offence the applicant was tried. Applicant is only husband of the earlier Sarpanch and was Up-Sarpanch and no role has been played by him. He would further submit that the applicant has been falsely implicated in the

instant cases, charge-sheet has been filed in the case, the applicant is in jail since 26-4-2016 and no further investigation is required, therefore, he may be released on bail.

5. On the other hand, learned State counsel opposing the application for grant of bail would submit that present applicant being Up-sarpanch of Gram Panchayat Bhadaura has obtained necessary document (Annexure D/1) to facilitate forged sale deed.
6. I have heard learned counsel for the parties and perused the case diary and documents.
7. Taking into consideration the facts and circumstances of the case, nature of offence and further considering the evidence collected by the prosecution which appears to be documentary in nature and also the fact that charge sheet has been filed and the applicant is in jail since 26-4-2016, I am inclined to release the applicant on bail in all the instant cases.
8. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed and it is directed that the applicant Kallu Singh @ Narendra Singh shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- each with one surety each in all cases in the like sum to the satisfaction of the concerned trial Court for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju