

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5103 of 2016

1. Naresh Kumar Jaiswal @ Guddu S/o Mahesh Kumar, Aged About 30 Years, R/o Sector – 11, Zone - 2, Khursipar Bhilai, Tahsil & Distt. Durg Chhattisgarh
2. Shivendra Verma S/o Ramakant Verma, Aged About 29 Years R/o Old Basti Kohka, Bhilai, Tahsil & Distt. Durg Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through, S. H. O., Police Station - Out Post Devkar, Distt. Bemetara Chhattisgarh

---- Respondent

For applicants - Smt. Indira Tripathi, Advocate.
For Respondent/State – Shri Neeraj Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

31/08/2016

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No.139/2016 registered in Police Station Out Post Devkar, Saja, Distt. Bemetara (C.G.) for offence punishable under sections 420, 467, 468, 471/34 of IPC.
2. As per the prosecution case, a report was made by one Lavkush Sahu that he was having land bearing Khasra Nos.1683 and 2386 at Sahaspur Lohara. The applicants Naresh Kumar Jaiswal and Shivendra Verma alongwith other co-accused offered the purchaser Yashwant Dillivar for sale of the land and one Ganesh Ram was personified as Lavkush and agreement was entered on 7/05/2016 and the amount of Rs.50,000/- was paid as an advance. Subsequently, purchaser who made enquiry also found that actually Lavkush Sahu was falsely personified by Ganesh Ram and the agreement was executed.
3. Learned counsel for the applicants submits that no evidence is available against the applicants and neither they are signatory to the

agreement nor any advance was paid to them. It is further submitted that charge sheet in this case has been filed, no further enquiry is necessary, therefore the applicants may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail and would submit that the applicants had started proceeding for sale, thereby conspiracy and false fabrication of documents was made.

5. Perused the case diary documents and statement of Yashwant Dillivar. Considering the facts and circumstances, also for the fact that charge sheet has been filed and all the evidence are documentary in nature and the applicants are in jail since 10/05/2016, this court is inclined to release the applicants on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicants shall be released on each of them furnishing personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of concerned trial court for their regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE