

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5347 of 2016

- Baratram Yadav S/o Kamal Yadav Aged About 26 Years R/o Village :
Kudumkela, Police Station & Tahsil Gharghoda, District Raigarh
Chhattisgarh --- **Applicant**

Versus

- State of Chhattisgarh through Station House Officer, Police Station
Gharghoda, District Raigarh Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Ashish Gupta, Advocate
For the Respondent	:	Mr. Shobha Kashyap, Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14.09.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 348/2015 registered at P.S. Gharghoda Distt. Raigarh (C.G) for the offence punishable under Sections 420, 467, 468, 471, 120-B of IPC.
2. As per the prosecution case, a report was made by one Man Singh that his land was sold by false personification and the sale was executed by one Chhattar Singh in favour of Sant Kumari and the present applicant has identified the said Chhattar Singh as Man Singh.
3. Learned counsel for the applicant would submit that the applicant is a rustic villager and he has been falsely implicated in this case. He further submits that the charge sheet in this case has been filed and no further investigation is necessary. It is also submitted that the applicant is in jail since 29.10.2015, therefore, he may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.

5. Perused the case diary and other documents.
6. Considering the facts and circumstances of the case and the allegation against the applicant is that he has identified co-accused Chhattar Singh as Man Singh as also the fact that the charge sheet in this case has been filed; the applicant is stated to be in jail since 29.10.2015 and further taking into nature of evidence which is primarily documentary in nature, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**