

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5662 of 2016

1. Smt. Bindiya Sahu, W/o. Dhaneshwar Sahu, Aged About 35 Years.
2. Dhaneshwar Sahu, S/o. Jagdev Sahu, Aged About 40 Years.

Both R/o. Village - Kharra, P.S. - Chhal, Tahsil - Dharamjaygarh,
District – Raigarh, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through : Station House Officer, Police
Station Dabhara, District Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicants : Mr. F.S.Khare, Advocate

For Respondent : Mr. Neeraj Sharma, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

21.09.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.158/2016 registered at Police Station- Dabhara, District Janjgir-Champa (C.G.) for the offence punishable under Sections 419, 420, 467, 468, 471, 120-B & 511 of Indian Penal Code.
2. As per the prosecution case, the applicants were having share in the property situated at village Kharra and on 04.05.2016 they tried to sell the land by affixing false photographs of the co-sharer. Subsequently, when the sale deed was presented and the identification was called for then it reveals that the applicants tried to sell out the land by false personification of others.
3. Learned counsel for the applicants would submit that the applicants tried to sell their undivided part of share and false allegations have been attributed and no further investigation is necessary as the

alleged sale deed has already been seized, therefore, the applicants may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents, which shows that the sale deed which is presented and yet to be registered has already been seized. Considering the facts and circumstances of the case and the nature of offence which appears to be documentary in nature, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge