

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5715 of 2016

Ashok Singh, S/o. Pawan Singh Thakur, Aged About 45 Years, R/o. Village Bhadaura, Police Station Masturi, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station Masturi, District Bilaspur, Chhattisgarh

---- Respondent

MCRC No. 5716 of 2016

Ashok Singh, S/o. Pawan Singh Thakur, Aged About 45 Years, R/o. Village Bhadaura, Police Station Masturi, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station Masturi, District Bilaspur, Chhattisgarh

---- Respondent

MCRC No. 5717 of 2016

Ashok Singh, S/o. Pawan Singh Thakur, Aged About 45 Years, R/o. Village Bhadaura, Police Station Masturi, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station Masturi, District Bilaspur, Chhattisgarh

---- Respondent

MCRC No. 5718 of 2016

Ashok Singh, S/o. Pawan Singh Thakur, Aged About 45 Years, R/o. Village Bhadaura, Police Station Masturi, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station Masturi, District Bilaspur, Chhattisgarh

---- Respondent

MCRC No. 5719 of 2016

Ashok Singh, S/o. Pawan Singh Thakur, Aged About 45 Years, R/o. Village Bhadaura, Police Station Masturi, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station Masturi, District Bilaspur, Chhattisgarh

---- Respondent

MCRC No. 5720 of 2016

Ashok Singh, S/o. Pawan Singh Thakur, Aged About 45 Years, R/o. Village Bhadaura, Police Station Masturi, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station Masturi, District Bilaspur, Chhattisgarh

---- Respondent

MCRC No. 5721 of 2016

Ashok Singh, S/o. Pawan Singh Thakur, Aged About 45 Years, R/o. Village Bhadaura, Police Station Masturi, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station Masturi, District Bilaspur, Chhattisgarh

---- Respondent

MCRC No. 5723 of 2016

Ashok Singh, S/o. Pawan Singh Thakur, Aged About 45 Years, R/o. Village Bhadaura, Police Station Masturi, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station Masturi, District Bilaspur, Chhattisgarh

---- Respondent

MCRC No. 5724 of 2016

Ashok Singh, S/o. Pawan Singh Thakur, Aged About 45 Years, R/o. Village Bhadaura, Police Station Masturi, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station Masturi, District Bilaspur, Chhattisgarh

---- Respondent

MCRC No. 5725 of 2016

Ashok Singh, S/o. Pawan Singh Thakur, Aged About 45 Years, R/o. Village Bhadaura, Police Station Masturi, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station Masturi, District Bilaspur, Chhattisgarh

---- Respondent

MCRC No. 5726 of 2016

Ashok Singh, S/o. Pawan Singh Thakur, Aged About 45 Years, R/o. Village Bhadaura, Police Station Masturi, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station Masturi, District Bilaspur, Chhattisgarh

---- Respondent

MCRC No. 5727 of 2016

Ashok Singh, S/o. Pawan Singh Thakur, Aged About 45 Years, R/o. Village Bhadaura, Police Station Masturi, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station Masturi, District Bilaspur, Chhattisgarh

---- Respondent

MCRC No. 5728 of 2016

Ashok Singh, S/o. Pawan Singh Thakur, Aged About 45 Years, R/o. Village Bhadaura, Police Station Masturi, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station Masturi, District Bilaspur, Chhattisgarh

---- Respondent

MCRC No. 5729 of 2016

Ashok Singh, S/o. Pawan Singh Thakur, Aged About 45 Years, R/o. Village Bhadaura, Police Station Masturi, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station Masturi, District Bilaspur, Chhattisgarh

---- Respondent

MCRC No. 5730 of 2016

Ashok Singh, S/o. Pawan Singh Thakur, Aged About 45 Years, R/o. Village Bhadaura, Police Station Masturi, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station Masturi, District Bilaspur, Chhattisgarh

---- Respondent

MCRC No. 5890 of 2016

Ashok Singh, S/o. Pawan Singh Thakur, Aged About 45 Years, R/o. Village Bhadaura, Police Station Masturi, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station Masturi, District Bilaspur, Chhattisgarh

---- Respondent

MCRC No. 5867 of 2016

Ashok Singh, S/o. Pawan Singh Thakur, Aged About 45 Years, R/o. Village Bhadaura, Police Station Masturi, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station Masturi, District Bilaspur, Chhattisgarh

---- Respondent

MCRC No. 5869 of 2016

Ashok Singh, S/o. Pawan Singh Thakur, Aged About 45 Years, R/o. Village Bhadaura, Police Station Masturi, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station Masturi, District Bilaspur, Chhattisgarh

---- Respondent

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MCRC No. 5892 of 2016

Ashok Singh, S/o. Pawan Singh Thakur, Aged About 45 Years, R/o. Village Bhadaura, Police Station Masturi, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station Masturi, District Bilaspur, Chhattisgarh

---- Respondent

For Applicant : Mr. S.C.Verma, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

04.10.2016

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 the 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 in connection with Crime Nos. 117/2013, 42/2015, 31/2015, 36/2015, 116/2013, 85/2013, 120/2013, 39/2015, 118/2013, 119/2013, 43/2015, 44/2015, 37/2015, 84/2013, 41/2015, 34/2015, 35/2015, 33/2015 & 38/2015 respectively registered at Police Station- Masturi, District Bilaspur (C.G.) for the offence punishable under Section 419, 420, 467, 468, 471, 120-B, 201 of Indian Penal Code.
3. As per the prosecution case, on an enquiry made by the Additional Collector on 11.03.2013, seven cases were registered against different accused persons which pertains to sale of land at village Bhadaura wherein it is alleged that the applicant in conspiracy with other persons of the village i.e. Sarpanch, Up-Sarpanch & Registrar had given the 22 point enquiry favorable and on that basis sales were executed. It is alleged that the present applicant was in possession of few of the seal which were being used for giving No Objection on 22 point enquiry and he also executed sale deed in two cases though he was not the owner of the land.
4. Learned counsel for the applicant would submit that after purchase of the land, when enquiries were made, the main allegations were attributed to Kallu Singh who was the husband of Mamta Singh as she being the Sarpanch was operated by Kallu Singh. He further submits that the present applicant was some time worked in the

Panchayat and though the allegations were attributed no seal was recovered from him, which would be evident from the statement of Panch Kumar, Kotwar and Madan Lal and only on the basis of oral statement, the applicant has been inculpated. He further submits that the charge sheet in this case has been filed and no further investigation is necessary; therefore, the applicant may be released on bail.

5. Learned State counsel was directed to make submission as to whether the applicant was arrayed as accused when the initial charge sheet was filed, the State counsel submits that the applicant was not arrayed as accused, but subsequently by an order of the Magistrate, the applicant was arrayed as an accused. He further submits that in 2013, seven cases were registered and in 2015 after order of the Judicial Magistrate, fourteen cases were registered; therefore, the applicant may not be released on bail.
6. Perused the case diary, documents & statement of Panch Kumar and Mandan Lal. Considering the facts & circumstances, nature of allegations attributed which appears to be documentary in nature and the fact that applicant is in jail since 23.03.2016, I am inclined to release the applicant on bail.
7. Accordingly, all the bail applications filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that the applicant 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.

Sd/-
(Goutam Bhaduri)
Judge