

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5743 of 2016

Umeshwar @ Chotu, S/o. Samaliya Ram Choudhary, aged about 26 years,
R/o. Village- Gopalpur, P.S. - Churiya, District – Rajnandgaon (C.G.)

----Applicant

Versus

The State of Chhattisgarh, Through : the Station House Officer, Police Station
– Ambagarh Chowki, District – Rajnandgaon (C.G.)

---- Respondent

M.CR.C. No. 5819 of 2016

1. Jitendra Lautre, S/o. Shri Bhaiyalal Lautre, aged about 35 years, R/o. Baputola, Police Station Chichola, District Rajnandgaon (C.G.).
2. Hemant Gandharva, S/o. Shri Dukhram Gandharva, aged about 25 years, R/o. Bharritola (A), Police Station – Chhuriya, District – Rajnandgaon (C.G.)

----Applicants

Versus

The State of Chhattisgarh, Through : the Station House Officer, Police Station
– Ambagarh Chowki, District – Rajnandgaon (C.G.)

---- Respondent

AND

M.CR.C. No. 6194 of 2016

Manoj, S/o. Sant Ram Mahar, aged about 26 years, R/o. Village- Arajkund,
Police Station Ambagarh Chowki, Civil and Revenue District – Rajnandgaon
(C.G.)

----Applicant

Versus

The State of Chhattisgarh, Through : the Police Station – Ambagarh Chowki,
Civil and Revenue District – Rajnandgaon (C.G.)

---- Respondent

For Applicants	: Mr. S.S. Baghel, Mr. Samir Singh & Mr. Punit Ruparel, Advocates
For Respondent/State	: Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07/11/2016

1. These are the first bail applications filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.159/2016, registered at Police Station – Ambagarh Chowki, District – Rajnandgaon (C.G.) for the offence punishable under Section 419, 420, 467, 468 and 471 read with Section 34 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that one Tirath Kumar Yadav made a report on 28.06.2016 that Rin Pustika kept in the vehicle was stolen, which was of village Netamtola, P.S. - Ambagarh Chowki. Subsequently an advertisement was made for sale of said land and on enquiry it was found that the present applicants in connivance with each other affixed the photographs of some other persons and tried to sale the land. Thereby the offence has been committed.
3. Learned counsels for the applicants submit that the applicants have been falsely implicated in this case. It is further submitted that no case is made out against the present applicants and only on the basis of presumption, the applicants have been inculpated and all the recovery alleged have already been made, charge-sheet has been filed and no further investigation is necessary, therefore, the the applicants may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail applications.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the documents. Considering the facts and circumstances of the case, the nature of offence and the degree of allegation and further considering the fact that all the evidences are documentary in nature and charge-sheet in this case has been filed, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
7. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.
8. It is directed that 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge