

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6165 of 2016**

- Lavkush @ Ganesh @ Banihar S/o Jagat Aged About 60 Years
Caste- Teli, R/o Silhati, Police Station Sahaspur Lohara, District
Kabirdham, Chhattisgarh.

---- Petitioner**Versus**

- State of Chhattisgarh Through Station House Officer, Police
Station- O.P. Deokar Police Station Saja, Bemetara, Chhattisgarh.

---- Respondent

For applicants	-	Shri Devesh Chandra Verma, Advocate.
For Respondent/State	-	Shri Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri**Order****06.10.2016**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.139/2016 registered in Police Station Out Post Deokar, 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 applicant and 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 applicant submits that no evidence is available against the applicant and neither he is signatory to the agreement nor any advance was paid to him. It is further submitted that charge sheet in this case has been filed, no further enquiry is necessary,

therefore, the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail and would submit that the applicant 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.

6. Considering the facts and circumstances as also the fact that charge sheet has been filed and all the evidence which is available on record is documentary in nature and the applicant is in jail since 18/05/2016, 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