

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6300 of 2016

- Harjinder Singh Bhatiya S/o Late Avatar Singh Bhatiya Aged About 52 Years By Caste Sikh, R/o Budhwaripara, Ward No. 15, Dongargarh, District Rajnandgaon, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through Police Station Bortalab, District Rajnandgaon, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Parag Kotecha, Advocate
For the Respondent	:	Mr. Anil S. Pandey, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.10.2016

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. 15 of 2016 registered at P.S. Bortalab Distt. Rajnandgaon (C.G) for the offence punishable under Sections 420, 467, 468, 471 of IPC.
2. As per the prosecution case, a report was made by one Shankar Lal Verma that certain Government lands have been sold by manipulation of revenue records. Subsequently the enquiry was conducted and it was revealed that the applicant with connivance of Patwari and others have sold the government land thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the alleged incident is said to have taken place in the year 2003-2004 and initially the Revenue Inspector has conducted the enquiry wherein no allegations were attributed to the present applicant. Subsequently in the enquiry of Tahsildar, without

there being any evidence on record, the name of applicant has been inculpated. He further submits that no document bears the signature of the applicant and only on presumption the name of applicant has been inserted and even no sale deed was signed by him.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the documents which are voluminous wherein different sale deeds have been presented. The sale deeds prima facie do not show the name of present applicant though the sale was made by different persons. Initially the Revenue Inspector also conducted enquiry which also do not show the name of applicant.
6. On considering voluminous documents filed, it appears that all the evidence available in this case appears to be documentary in nature and the trial may take some time. Thus considering the totality of the facts situation of the case and taking into the nature of allegations attributed to the present applicant as also the fact that the charge sheet has been filed and the applicant is in jail since 21.08.2016, I am inclined to allow the 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/Remand 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