

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6535 of 2016

Janak Pratap Singh @ Lal Janak Pratap Singh, S/o. Udaybhan Pratap Singh, Aged About 38 Years, Caste Kshatriya, R/o. Village Tilouli, Police Station Janakpur, District Korea, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station - Janakpur, District Korea, Chhattisgarh.

---- Respondent

For Applicant : Mr. Harish Khuntiya, Advocate

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

25.10.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.69/2014 registered at Police Station- Janakpur, District Korea (C.G.) for the offence punishable under Section 420, 409, 34 of Indian Penal Code.
2. As per the prosecution case, the applicant in connivance with the other persons sold the paddy to the Government over and above the limit prescribed, as the entitlement to sale the paddy is 36 quintals per hectare and the applicant sold the paddy of his own and also took the paddy of some other persons and sold it showing to be the paddy of himself.
3. Learned counsel for the applicant would submit that the applicant has followed the policy of the Government and has not sold the paddy over and above the prescribed limit and the paddy so sold were grown on the field which was taken on lease, therefore, the applicant has been falsely implicated. He submits that the other co-

accused have been enlarged on anticipatory bail by this Court on 01.02.2016 in M.Cr.C.(A) No.1298 of 2015 and on 09.03.2016 in M.Cr.C.(A) No.214 of 2016. He further submits that the applicant is in jail since 20.09.2016 and no further investigation is necessary, therefore, the applicant 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. It appears that all the evidences are documentary in nature. Considering the facts and circumstances of the case, nature of allegation attributed to the applicant and the fact that the applicant is in jail since 20.09.2016 and the other co-accused have already been enlarged on anticipatory bail, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge