

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6551 of 2016

- Mohammad Shabbir Khan S/o Rauf Khan Aged About 50 Years R/o Village Bagicha, Bhatti Kona, Tahsil Bagicha, District Jashpur Chhattisgarh --- **Petitioner**

Versus

- State of Chhattisgarh through Station House Officer, Police Station Bagicha, District Jashpur Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Awadh Tripathi, Advocate
For the Respondent	:	Mr. Anupam Dubey, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24.10.2016

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. 154 of 2016 registered at P.S. Bagicha, Distt. Jashpur (C.G) for the offence punishable under Sections 420, 467, 468, 34 of IPC.
2. As per the prosecution case, on 24.07.2016 a report was made by one Sanjay Singh that the present applicant alongwith other co-accused by preparing forged Rin Pustika in the name of one Sube Korwa, Itwari Bai & Seema Korwa, and obtained 64 bags of urea fertilizer from the Government shops and sold it to different persons thereby the offence is committed.
3. Learned counsel for the applicant would submit that the applicant has purchased the fertilizers and has used the same in his own field and it has not been sold to others. He further submits that the charge sheet has been filed; no further investigation is necessary and the applicant is in jail

since 25.07.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary documents and also memorandum of the present applicant wherein it is stated that the applicant had used the fertilizers in his own filed.
6. Taking into such facts and evidence collected by the prosecution as also the fact that the charge sheet in this case has been filed; no further investigation is necessary and the applicant is in jail since 25.07.2016, I am inclined to allow this 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. 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**