

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6590 of 2016

1. Satish Jain, S/o. Shiv Charan Jain, aged about 27 years, R/o. Village- Makari Khuna, P.S. - Kanker, Revenue and Civil District – North Bastar Kanker (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Police Station - Kanker, District – Kanker (C.G.)

---- Respondent

For Applicant	: Mr. P.K. Tulsyan, Advocate
For Respondent/State	: 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, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.249/2016, registered at Police Station – Kanker, District – Kanker (C.G.) for the offence punishable under Section 420 of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was lodged by the complainant Wasim Ahmad that an agreement of sale of land was executed on 27.05.2015 and the present applicant personified himself as Prakash Patel and received an amount of Rs.3.00 lakhs and thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and the FIR is delayed by more than one year. It is further submitted that all the evidences in this

case are documentary in nature, the applicant is in jail since 21.07.2016, charge-sheet in this case has been filed, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application
5. I have heard learned counsel appearing for the parties.
6. Considering the facts and circumstances of the case, taking into the nature of allegation and the fact that charge-sheet in this case has been filed and the applicant is in jail since 21.07.2016 and all the evidences in this case are documentary in nature, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge