

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7314 of 2016

Rama, S/o. Gajraj, Aged About 55 Years, Occupation - Agriculturist, R/o. Village - Sapkara, Post Dadri, Police Station & Tehsil - Surajpur, Revenue & Civil District Surajpur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer Bishrampur, Revenue & Civil District Surajpur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Surfaraj Khan, Advocate

For Respondent : Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

24.11.2016

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.187/2016 registered at Police Station- Bishrampur, District Surajpur (C.G.) for the offence punishable under Section 420, 467, 468, 471, 120-B of Indian Penal Code.
2. As per the prosecution case, a report was made by Brijlal that the applicant falsely personified himself to be a member of Gond community obtained the job in the SECL and he further obtained certain land showing himself to be the member of Gond community but actually he belongs to Rajwar caste.
3. Learned counsel for the applicant would submit that there is no evidence in this regard that the applicant do not belong to Gond community. The complainant Brijlal with whom a civil suit was pending has attributed false allegation and the applicant who is an employee of SECL has been made to suffer. He further submits that

the charge sheet has been filed 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. Considering the facts & circumstances of the case and further considering the nature of allegation and the fact that the charge sheet has been filed, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the 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.

Sd/-
(Goutam Bhaduri)
Judge