

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7455 of 2016

Sanjay Kumar Sahu, S/o. Late Rambharosh Sahu, Aged About 35 Years,
R/o. Nagar Surajpur, Police Station & Tahsil Surajpur, District Surajpur,
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Of Police
Station Surajpur, District Surajpur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Anil Gulati, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14/12/2016

1. This is second 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.336/2016 registered at Police Station- Surajpur, District Surajpur (C.G.) for the offence punishable under Section 419, 420, 465, 467, 468, 471, 120-B of Indian Penal Code. The first bail application was dismissed as withdrawn on 24.10.2016 with liberty to repeat after filing of the charge sheet.
2. Case of the prosecution, in brief, is that a report was made by Kailash that he being the owner of the land bearing Khasra No.973/3 at village Chandrapur and the co-accused Mangal Sai impersonated himself to be Kailash sold the land to the present applicant. Thereby, the present applicant in connivance with the other co-accused has committed the offence.

3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and though the applicant might have criminal antecedents, but he is bonafide purchaser in the instant case; therefore, he may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail, however, on enquiry, it is submitted that the similar nature of cases are not registered against the present applicant regarding purchase of land fraudulently.
5. Perused the case diary and the documents. Though different cases are registered against the present applicant mostly under Section 379 but taking into fact that the applicant appears to be the purchaser in the instant case and the charge sheet has been filed and all the evidences are documentary in nature, 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