

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7730 of 2016

Bhuvan Sahu, S/o. Late Shri G.R. Sahu, Aged About 45 Years, R/o. Kasaridih, Police Station Durg, City Kotwali, Tahsil & District- Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through: Police Station Dhamdha, District -Durg, Chhattisgarh

---- Respondent

For Applicant : Mr. T.K.Jha, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

06/12/2016

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.249/2016 registered at Police Station- Dhamdha, District Durg (C.G.) for the offence punishable under Section 420, 419, 467, 468, 471, 120(B) of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by Parshuram Prasad that the applicant alongwith other co-accused Manoj Soni sold the land of Kripal Singh and Thakur Singh for sale consideration of Rs.5.5 Lakhs on the basis of power of attorney, which was found to be forged. Subsequently, during investigation it was found that the applicant was also one of the party to the conspiracy wherein the sale deed has been executed.
3. Learned counsel for the applicant would submit that the entire allegation is attributed to Manoj Soni and there is no allegation

against the present applicant and only on presumption, the applicant has been inculpated and stamp has been seized. He further submits that the charge sheet has been filed and the applicant is in jail since 30.08.2016, therefore, he 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. Taking into the nature of allegation against the present applicant and the document which shows that the sale deed was executed by Manoj Soni as power of attorney and further considering the nature of evidence available, 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