

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6041 of 2017

- Bhupendra Aavde S/o Late Gajpati Aavde, Aged About 51 Years R/o Lingadih, Post Office & Police Station Arang, District Raipur Chhattisgarh. Present R/o Shastri Nagar, Arang, Post Office & Police Station Arang, District Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer Police Station Arang, District Raipur Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Shivendu Pandya, Advocate.
For Respondent/State	:	Mr. O.P. Sahu, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

09/11/2017

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. 218/2017, registered at Police Station- Arang, District – Raipur(C.G.) for the offence punishable under Sections 420, 467, 468, 471 & 419/34 of Indian Penal Code (for short 'IPC').
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. He is in jail since 16.05.2017. The only role played by applicant in this instance, that he went to the spot to show the land proposed for sale to the purchaser Kamal Vibhar. He had not been a party to the transaction neither he had in his possession any document, which is alleged to have been

forged, hence, prayed that applicant be enlarged on bail.

3. Learned State counsel opposes the prayer for grant of bail, however, he would submit that the applicant is a land broker and he had active knowledge that the document Rin Pustika which was being used for the sale of the land of the complainant, was a forged document and had knowledge that the person who was impersonating as ownersell off the land was also of his acquaintance, hence, he cannot be regarded as innocent in this case, therefore, he is not entitled for grant of bail.
4. Heard both the parties and perused the case diary.
5. Considering the rival submissions made in this respect and taken into consideration this fact that applicant is in jail since 16.5.2017 and he is resident of Arang District-Raipur, whose availability before the trial Court shall not be compromised if he is enlarged on bail, hence, this appears to be a fit case where the applicant should be enlarged 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.
8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge