

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 281 of 2017

1. Sanatan Uraw, S/o. Shri Nanhu Uraw, aged about 45 years, Occupation-Laborer,
 2. Fulchand Yadav, S/o. Shri Sonauram Yadav, aged about 40 years, Occupation- Laborer.
- Both R/o. Birhabhata, P.S. and Tahsil – Chandrapur, District – Janjgir-Champa (C.G.)

----Applicants

Versus

1. State Of Chhattisgarh, Through : S.H.O. of the Police Station – Kotra Road, District – Raigarh (C.G.)

---- Respondent

For Applicants	: Mr. Abhisek Saraf, Advocate
For Respondent/State	: Mr. Sangharsh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07/02/2017

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 applicants who have been arrested in connection with Crime No.205/2016, registered at Police Station – Kotra Road, District – Raigarh (C.G.) for the offence punishable under Section 420, 467, 468, 471, 120(B), 464, 419 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that one Korba West Power Company Limited was acquiring the land for railway from Chhote Bhandar to Bhupendrapur at Raigarh and in order to acquire such land, the present applicant along -with Chandrashekhar Choudhary arranged fake persons and sale deeds were executed. Likewise, the applicant appeared in place of other persons and personified himself to be the original owner. Thereby the offence has been committed.

3. Learned counsel for the applicants would submit that the applicants have been falsely implicated in this case. It is further submitted that charge-sheet in this case has been filed and the applicants are in jail since 06.08.2016. It is further submitted that similarly placed co-accused in this case has been enlarged on bail by this Court vide order dated 04.01.2017 in M.Cr.C. No.8424/2016, therefore, the applicant may also be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application, however, he is not able to dispute the fact that similarly placed co-accused has been enlarged on bail.
5. I have heard learned counsel appearing for the parties.
6. Considering the facts and circumstances of the case, charge-sheet in this case has been filed and further considering the fact that similarly placed co-accused in this case has been enlarged on bail by this Court vide order dated 04.01.2017 in M.Cr.C. No.8424/2016, this Court is of the opinion that present is a fit case, in which, the applicants 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 applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge