

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 436 of 2017

- Ram Kishore Kabire S/o Late Shri Mansaram, Aged About 48 Years
R/o Nakapara, Azad Ward No. 1, Dongargarh, District Rajnandgaon,
Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through Station House Officer, Police Station
Boratlav, Tahsil Dongargarh, District Rajnandgaon, Chhattisgarh. ---
Respondent

For the applicant	:	Mr. Sudeep Agrawal, Advocate
For the Respondent	:	Mr. Aupam Dubey, Dy. Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02.2.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 15 of 2016 registered at P.S. Bortalav Distt. Rajnandgaon (C.G) for the offence punishable under Sections 420, 120(B) read with Section 34 of IPC.
2. As per the prosecution case, a report was made by one Shankar Lal Verma that certain Government lands have been sold by manipulation of revenue records. Subsequently the enquiry was conducted and it was revealed that the present applicant with connivance of other accused got sold the government land thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the alleged incident is said to have taken place in the year 2003-2004 and other accused Harjinder Singh Bhatiya has been enlarged on bail by this Court in M.Cr.C. No. 6300/2016 on

26.10.2016. He also submits that the charge sheet has been filed; no further investigation is necessary and the applicant is in jail since 03.01.2017, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail. However, he do not dispute the fact that the co-accused Harjinder Singh Bhatia has been enlarged on bail by this Court.
5. Considering the facts and circumstances of the case especially the facts that the incident is of the year 2003-2004 and the other accused has been enlarged on bail by this Court; charge sheet in this case has been filed and no further investigation is necessary, I am inclined to allow this bail application.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court/Remand Court. He shall also appear before the trial Court as and when directed by the said Court.

C.C. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**