

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 477 of 2017

Goukaran Baiga S/o Jethuram Baiga Aged About 35 Years
Occuaption- Teacher (Panchayat), R/o Village- Lalpur, Police
Station- Bodla, Tahsil- Bodla, District- Kabirdham, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- Station House Officer, Police
Station- Bodla, District- Kabirdham, Chhattisgarh.

---- Respondent

For applicant - Shri Suryakant Mishra, Advocate.
For Respondent/State –Shri Neeraj Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

7/02/2017

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.148/2015 registered in Police Station Bodla, District Kabirdham (C.G.) for offence punishable under sections 420 of Indian Penal Code.
2. As per the prosecution case, a report was made by Chain Singh on 31/10/2015 that on 1/03/2013 the applicant received amount of Rs.75,000/- from Chain Singh, Rs.50,000/- from Sukhlal, Rs. 1,00,000/- from Mahu, Rs.75,000/- from Chandrapal and Rs.50,000/- from Hemlal and assured to get them land from the owners. Subsequently, sale deed was not executed and when complainant contacted the seller it was revealed that they have not received the amount. Thereby, offence is committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case, agreement were executed between the parties and thereafter seller have left the village, consideration was

received by respective seller, therefore sale could not be executed. He submits that charge sheet has been filed, no further investigation would be necessary, therefore the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary and the documents. Considering the facts and circumstances of the case, nature of evidence appears to be documentary in nature, incident is of 2013, taking into such fact, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE