

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 569 of 2017

1. Yogendra Singh, S/o. Ram Laut Singh (wrongly mentioned as Ram Singh in the rejection order), aged about 47 years, R/o. Gudiyari, District – Raipur (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : Station House Officer, Police Station – Dhamdha, District – Durg (C.G.)

---- Respondent

AND

M.CR.C. No. 587 of 2017

1. Shyam Lal Kosariya, S/o. Late Shri Shiv Charan, aged 55 years, R/o. Vill. - Pacheda, P.S. - Vidhaban Sabha, Tah. & District – Raipur (C.G.) (P.S. wrongly mentioned as Vidhansabha Bhavan)

----Applicant

Versus

1. State Of Chhattisgarh, Through : Police Station – Dhamda, District – Durg (C.G.)

---- Respondent

For Applicants	:	Mr. Praveen Das, Advocate & Mr. Devershi Thakur, Advocate
For Respondent/State	:	Mr. Avinash K. Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

06/02/2017

1. These are the first bail applications 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.93/2010, registered at Police Station – Dhamdha, District – Durg (C.G.) for the offence punishable under Section 419, 420, 467, 468, 471/34, 120-B of

Indian Penal Code.

2. Case of the prosecution, in brief, is that a complaint was made by Abdul Rauf that he was holding a land along with his sisters Joharbano and Hajiyani Bachchi Bai, which was sold by Narmada Prasad Tiwari by personifying himself as Abdul Rauf and Rasida Begum and Quresha Begum were projected as Joharbano & Hajiyani Bachchi Bai and sale deed was made in the name of Kanhaiya Lal Sahu, who was servant of the co-accused Suryakant Patel. It is alleged that the applicant – Yogendra Singh was asked to arrange two ladies sellers to personify the original seller, which was arranged by the applicant- Shyamlal Kosariya. Thereby the offence has been committed.
3. Learned counsels for the applicants would submit that the applicants have been falsely implicated in this case and they are not the beneficiaries. It is further submitted that charge-sheet in this case has been filed and no further investigation is necessary and the applicants are in jail since 24.11.2016, therefore, the applicants may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Perused the case diary and the documents. Considering the facts and circumstances of the case, the nature of evidence which is collected by the prosecution appears to be documentary in nature. Taking into the fact that charge-sheet in this case has been filed and no further investigation is necessary and the applicants are in jail since 24.11.2016, 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 applications filed under Section 439 of the Cr.P.C. are 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

Balram