

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 283 of 2017**

- Janardan Kushwaha S/o Pitambar Kushwaha Aged About 30 Years  
R/o Village- Karjo, Police Station Darima, Tahsil- Ambikapur, District-  
Surguja, Chhattisgarh. --- **Applicant**

**Versus**

- State of Chhattisgarh through S.H.O. Ambikapur, District - Surguja,  
Chhattisgarh. --- **Respondent**

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| For the applicant  | : | Mr. Sunil Tripathi, Advocate       |
| For the Respondent | : | Mr. Sangharsh Pandey, Panel Lawyer |

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**MCRC No. 728 of 2017**

- Mankunwar W/o Late Radharam, Aged About 60 Years Occupation  
Housewife, R/o Village Karji (Sohga), Police Station Darima, District  
Sarguja, Chhattisgarh. --- **Applicant**

**Versus**

- State of Chhattisgarh through Station House Officer, Police Station  
Ambikapur, District Sarguja, Chhattisgarh. --- **Respondent**

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| For the applicant  | : | Mr. Arun Kochar, Advocate          |
| For the Respondent | : | Mr. Sangharsh Pandey, Panel Lawyer |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**14.02.2017**

1. These are two bail applications filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 632/2016 registered at P.S. Ambikapur, Distt. Sarguja (C.G) for the offence punishable under Sections 120-B, 419, 420, 467, 468, 471, 388/34 of IPC. As both these applications are relating to the same crime number, they are being decided

by this common order.

2. As per the prosecution case, a report was made by one Rajesh Agrawal that he entered into an agreement with Mankunwar, widow of Radha Ram for purchase of land bearing Khasra No. 259/1 admeasuring 0.466 hectares at village Sohaga and Rs.10 lakhs was fixed as sale consideration, out of which, earnest money of Rs.2 lakhs was paid to the said Mankunwar. Subsequently when the sale deed was not executed, a legal notice was served by Rajesh Agrawal. It was discovered that Applicant Janardan Kushwaha has falsely projected Kanti Bai as Mankunwar and he alongwith co-accused Krishna Kumar Rajwade has executed the agreement. Subsequently Taj Mohmmad and Mankunwar again approached complainant and stated that he has entered into false agreement and on that pretext again obtained Rs.1,50,000/-, therefore, the offence has been committed.
3. Learned counsel for the applicants Janardan Kushwaha and Mankunwar would submit that the applicants are not the beneficiaries and the sale consideration was received by other accused. They further submit that the charge sheet has been filed; no further investigation is necessary and looking to the period of custody, the applicants may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the documents. It appears that all the evidence available in this case appears to be documentary in nature. Considering the nature of allegations and the totality of facts and circumstances of the case especially the fact that the charge sheet has been filed; no

further investigation is necessary and further looking to the period of custody as applicant Mankunwar is stated to be in jail since 10.11.2016 and applicant Janardan Kushwaha is in jail since 13.10.2016, I am inclined to release the applicants on regular bail.

6. Accordingly, the bail applications are allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

**Sd/-  
GOUTAM BHADURI  
JUDGE**