

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 1032 of 2017**

Mohanlal Gond, S/o. Beni Madhav Gond, Aged About 43 Years, R/o. Milan Chowk Camp 2, Bhilai, District Durg, Chhattisgarh.

**---- Applicant**

**Versus**

State Of Chhattisgarh, Through Station House Officer, Dhamdha, District Durg, Chhattisgarh.

**---- Respondent**

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For Applicant : Mr. Anurag Jha, Advocate

For Respondent : Mr. Neeraj Jain, Govt. Advocate  
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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**21/03/2017**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.249/2016 registered at Police Station- Dhamdha, District Durg (C.G.) for the offence punishable under Sections 419, 420, 467, 468, 471, 120 B of Indian Penal Code.
2. As per the prosecution case, a report was made by Parsuram Prasad that a land bearing Khasra No.1206 & 1210 of village Kodia belong to Kripal singh for which an agreement was entered into in between Hemant Verma in the month of May and Rs. 3 Lakhs advance was given to Hemant Verma. For such land, one Manoj Soni was holding the power of attorney, therefore, the amount of Rs.25,35,000/- was given to Manoj Soni and the sale deed was registered. During such sale, as a witness to the sale deed, the present applicant inscribed his signature, thereafter, when the sale deed was given for mutation, the mutation could not

be carried out and eventually, it was revealed that the Rin-pustika and Khasra number were forged.

3. Learned counsel for the applicant would submit that the applicant was not a party to the sale deed, he was a witness to the sale deed and he has not committed any offence and he is not the beneficiary, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. The applicant appears to be the witness to the sale deed. Considering the facts and circumstances and the role played by the present applicant and further considering the fact that the charge sheet has been filed, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-  
**(Goutam Bhaduri)**  
Judge