

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 901 of 2017

- Manoj Kumar Gupta S/o Naval Kishore Gupta Aged About 36 Years R/o Village- Ramgarh, Police Station- Janakpur, Tahsil- Bharatpur, District- Koriya, Chhattisgarh --- **Applicant**

Versus

- State of Chhattisgarh Through: Station House Officer, Police Station- Janakpur, District- Koriya, Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Harish Khuntiya, Advocate
For the Respondent	:	Mr. D.R. Minj, Dy. Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28.02.2017

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. 69/2014 registered at Police Station Janakpur, Distt. Koriya (C.G) for the offence punishable under Sections 420, 409, 34 of IPC.
2. As per the prosecution case, the applicant sold the paddy of 789.60 quintals at paddy collection center Kanjia. It is alleged that apart from the lands of 3.95 hectares which the applicant was actually holding, he inflated the same by including the lands of Hari Singh and Kamal Narayan Singh, however, when the enquiry was made it shows that Hari Singh, Kamal Narayan Singh have not given the land on lease to the present applicant, thereby the applicant fabricated and inflated the area of land so as to sell more than the prescribed quantity of paddy.
3. Learned counsel for the applicant would submit that the

applicant has been falsely implicated and the documents filed along-with the bail application would go to show that the lands were in joint holding of the persons and the applicant has not committed any fraud. He further submits that the charge sheet has been filed and no further investigation is necessary, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and documents. Primarily it appears that the the entire evidence available in this case is documentary in nature. Considering the nature of allegations levelled against the applicant as also the fact that the charge sheet 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 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. He shall also appear before the trial Court as and when directed by the said Court till disposal of the trial.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**