

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1192 of 2017

1. Shanker S/o Dharamdas Verma, Aged About 55 Years R/o Village Kurrabhar, Police Station Dongargarh, District Rajnandgaon Chhattisgarh
2. Goutam Sakhre, S/o Ramdas Sakhre, Aged About 32 Years R/o Kalkapara, Police Station Dongargarh, District Rajnandgaon Chhattisgarh

---- **Petitioners**

Versus

- State of Chhattisgarh Through Police Station Bortalab, District Rajnandgaon Chhattisgarh

---- **Respondent**

For Applicants : Mr. Devershi Thakur, Advocate

For Respondent/State : Mr. D.R.Minj, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

22-03-2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested on 29-8-2016 in connection with Crime No. 15 of 2016, registered at Police Station Bortalab, District Rajnandgaon (CG) for the offence punishable under Sections 420, 467, 467, 471/34 and 120-B of the IPC.
2. As per prosecution, certain Government lands were sold by manipulation of revenue records with connivance of other co-accused namely Harjinder Singh Bhatiya and Ram Kishore Kabire. The Government lands were sold by one Ganesh to present applicant No.1 Shanker and applicant No.2 Goutam Sakhre was holding Power of Attorney on behalf of the villagers and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicants would submit that the applicants have been falsely implicated in the case, as per memorandum

entire allegations are attributed to Harjinder Singh who had manipulated the entire transaction and the applicants were only little beneficiaries and they have not committed any offence. He would further submit that charge-sheet has been filed in this case, the applicants are in jail since 29-8-2016 and no further investigation is required, therefore, they may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary, documents and the statements of witnesses Baladram Sinha, Charan and Shyam in respect of sale deeds. It appears that the evidence appears to be documentary in nature.
6. Taking into consideration the facts and circumstances of the case, considering the statements of witnesses and further considering the fact that the evidence appears to be documentary in nature and also the fact that charge-sheet in this case has been filed and the applicants are in jail since 29-8-2016, I am inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju