

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MISC. CRIMINAL CASE NO. 1915 OF 2017

1. Bajrang Pulast S/o Ganesh Singh Pulast, aged about 43 years, R/o Mohlinebhata, Katghora, PH No.8, RI Circle, Katghora, Tehsil Katghora, Distt. Korba (CG).
Presently R/o PH No.13, RI Circle Korba, Tehsil and District Korba (CG).

... Applicant

Versus

1. Suryakant Naidu S/o late Shri Chandrakant Naidu R/o Swastya (Health) Colony, Katghora, Distt. Korba (CG).
2. State of Chhattisgarh, through the District Magistrate, Korba, Distt. Korba (CG).

... Respondent

For Applicant	:	Shri B.D. Guru, Advocate.
For respondent No.1	:	None though served and represented
For Respondent-State	:	Shri O.P. Sahu, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

04/10/2017

1. This is the first bail application seeking for grant of bail to the Applicant who is in jail since 04.03.2017 in connection with Criminal Complaint Case No.957 of 2013 registered at Police Station Katghora, Distt. Korba, for the offence punishable under Sections 420 and 120-B IPC.
2. Learned Counsel for Applicant submits that the Applicant is in jail since 04.03.2017 on account of a complaint case filed by the respondent No.1. The applicant is a Patwari and is said to have issued 22 point form to the co-accused Pramod Naidu on the basis of which he has purchased 0.35 decimal of land situated in Khasra

No.221/1-A. It is a case where the purchaser is not, in any manner, aggrieved by the 22 point form which has been issued by the present applicant. In addition, it is also submitted that it is only a dispute between the complainant Suryakant Naidu-respondent No.1 with his elder brother, co-accused, Pramod Naidu, which has led to filing of complaint case. He further submits that the only act which is said to have been performed by the applicant is that of issuance of 22 point form and which has been issued on the basis of entries made in the revenue records. It was a joint land consisting in Khasra No.221/1-A which was originally owned by one Dhaniya Bai and different portion of said Khasra number has already been sold to different persons by a power of attorney holder R.K. Kashyap since 2012 onwards. He further submits that he has been falsely implicated in the case and there was no bad intention on the part of the applicant in issuance of 22 point form, and therefore he may be enlarged on bail.

3. The State counsel submits that since it is a complaint case which has been registered at the instance of respondent No.1, the State does not have much role in the complaint case.
4. Without commenting on merits, considering the totality of the facts and circumstances of the case and taking into consideration the facts that co-accused Pramod Naidu, the actual purchaser of the land has already been granted bail by the trial court, this Court is of the opinion that present is a fit case where the Applicant can also be enlarged on bail.

5. Accordingly, the application for grant of bail is allowed. It is directed that the Applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.20,000/- with one surety of the like sum to the satisfaction of the concerned Trial Court for his appearance as and when directed.

Sd/-
(P. Sam Koshy)
Judge

inder