

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3403 of 2017**

- Sheshank Gupta S/o Gourishankar Sahu, Aged About 24 Years R/o Village Mahuapara, Karra, Police Station Dhourpur, District- Surguja, Chhattisgarh.

---- **Petitioner****Versus**

- State Of Chhattisgarh, Through Station House Officer, Police Station Dhourpur, District- Surajpur, Chhattisgarh.

---- **Respondent**

For Applicant
For Respondent /State

Mr. Sushil Dubey, Advocate
Mr. Sangharsh Pandey, Dy. GA

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

27/11/2017

1. Heard.
2. 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.32/2015, registered at Police Station Dhourpur, District Surguja (CG) for the offence punishable under Sections 420, 467, 468 & 471/34 of IPC.
3. At village Karra, Tehsil Lundra, District Sarguja, an area of 4.430 hectares bearing Khasra No.557/1 was entered as *Chhote Jhad ka Jungle*. The entries were corrected by interpolation by dividing the same into two Khasra Numbers i.e. Khasra No.557/17 and 557/18, each admeasuring 2 hectares. While

Khasra No.557/17 was entered in the name of Sheshank Gupta (present applicant), the other Khasra No.557/18 was entered in the name of Amarjeet Sahu. This was allegedly done by Patwari Ramnarayan Dubey. Applicant -Sheshank Gupta later on sold Khasra No.557/17, area 2 hectares to one Preeti Agrawal. When Preeti Agrawal approached the Patwari for mutation of her name, it was informed that the land belongs to the Government. Preeti Agarwal, thereafter, lodged complaint against the present applicant.

4. Learned counsel for the State would oppose the prayer for grant of regular bail.
5. Considering that Patwari Ramnarayan Dubey has already been released on anticipatory bail vide order dated 18.5.2017 passed in MCRC No.1396 of 2016 and co-accused Amarjeet Sahu has also been released on bail being a juvenile, the present applicant is also entitled to be released on regular bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

7. Certified copy as per rules.

Sd/-

Judge

(Prashant Kumar Mishra)