

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 4625 of 2017**

Shree Prakash Soni, S/o. Late Lakheshwar Prasad Soni, Aged About 35 Years, R/o. Purani Basti, Korba, Police Station- Kotwali, Korba, District- Korba Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Through : The District Magistrate, Korba.

---- Respondent

For Applicant : Mr. Ravindra Agrawal, Advocate
For Respondent/State : Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****06/11/2017**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.315/2016, registered at Police Station – Balco Nagar, District – Korba (C.G.) for the offence punishable under Section 420, 467, 468, 471, 109 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that applicant has been falsely implicated in this case, charge-sheet in this case has been filed, no case is made out against the applicants, the case is likely to take sometime for its conclusion, hence prayed that the applicant may be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail applications and the submissions made in this respect. It is submitted that the case against the applicant is supported with evidence. Co-accused -Arun Kumar, the Notary Advocate has made statement before the trial Court in his argument before charge that he has never notarized any documents in favour of the applicant, hence for these reasons, the applicant is not entitled for grant of bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the case, the deceased Jai Prakash Soni was registered owner of the vehicle bearing registration No.C.G.-12-E-0783, after his death, applicant produced an affidavit showing transfer of the said vehicle in his favour and on the basis of the same, he has got the entries in the RTO done in his favour. The said notarized affidavit has been found to be forged. On complaint made by the wife of the deceased, case has been registered, investigated and charge-sheet has been filed.
6. Considering the submissions made and the contents of the case diary specifically the fact that charge-sheet has been filed, applicant is in jail since 09.12.2016, trial of the case is likely to take sometime for its conclusion, no purpose would be served, if the, applicant is kept in detention for the whole period of trial, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.

8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram