

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5590 of 2017

Vinod Bhoi, S/o. Late Arjun Bhoi, Aged About 60 Years, Caste Kolta, R/o. Village Arjunda, Police Station & Tahsil Saraipali, District Mahasamund, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Saraipali, District Mahasamund, Chhattisgarh.

---- Respondent

MCRC No. 6502 of 2017

Manish Bhoi, S/o. Shri Vinod Bhoi, Aged About 25 Years, Caste- Kolta, R/o. Village Arjunda, Police Station & Tahsil Saraipali, District Mahasamund, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station Saraipali, District Mahasamund, Chhattisgarh.

---- Respondent

&

MCRC No. 6508 of 2017

Chatur Singh Sidar, S/o. Padum Ram Sidar, Aged About 49 Years, Caste Gond, R/o. Village Kotdwari, Present Address Village Jognipali, Police Station & Tahsil Saraipali, District Mahasamund, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Saraipali, District Mahasamund, Chhattisgarh.

---- Respondent

For Applicants : Mr. Gurudev I. Sharan, Advocate

For Respondent : Mr. S.K.Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

21.11.2017

1. These are the first bail applications filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime

No.400/2015 registered at Police Station- Saraipali, District Mahasamund (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 34 of Indian Penal Code.

2. Case of the prosecution, in brief, is that Vinod Bhoi got prepared the forged documents of Khasra and B1 of a land which was initially belonged to one Umakant, thereafter, sold it to Harikishan Sahu & Arakshik Sahu. Subsequently, a complaint was made by Indu & Gulapi who are the daughters of Umakant and it is alleged that on the basis of forged documents the properties were sold. Thereafter, Vinod Bhoi was arrested on 02.08.2017, Manish Bhoi, son of Vinod Bhoi, was arrested on 27.09.2017 and Chatur Singh, Patwari, was arrested on 19.09.2017.
3. Learned counsel appearing for the applicants would submit that Umakant had bequeathed his property by a registered Will in favour of Vinod Bhoi and thereafter the name was mutated on the revenue records and the registered Will has not been challenged till date. It is further submitted that earlier brother of the complainant namely Shesh Dev had made a complaint wherein the accused has been enlarged on bail and repeating the incident, again the report was made. He further submits that the charge sheet in this case has been filed and no further investigation is necessary, therefore, the applicants may also be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary, documents and also the copy of the registered Will, which is produced. Considering the facts of this case, nature of allegation and the fact that charge sheet has been filed, I am inclined to release the applicants on bail.

6. Accordingly, the bail applications filed under Section 439 of Cr.P.C. are allowed.
7. It is directed that the applicants shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge

Ashok