

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5692 of 2017**

- Balgovind Yadav S/o Shobnath Yadav, Aged About 51 Years R/o Sahanpur, Police Station Sitapur, District Surguja, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Police Station Batauli, District Surguja, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Manoj Paranjpe, Advocate
For Respondent-State	:	Shri Anupam Dubey, Dy. GA for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****08/12/2017**

1. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 28.07.2017 in connection with Crime No.178/2012 registered at Police Station Batauli, District Surguja (CG) for the offence punishable under Sections 420, 467, 468, 471 R/w Section 34 of the I.P.C. and Section 3 (1) (च) (छ) and Section 3 (2) (Vक) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. As per the prosecution case, the present applicant along with Gaya Prasad & Satya Narayan had sold certain land bearing Khasra Nos. 93, 109, 119, 145, which were forest lands and also the lands bearing Khasra Nos.120, 122 & 132, which belongs to some other person namely Durjan Korba. Thus, they fraudulently sold the forest land and the land belonging to other.

Thereby the offence has been committed.

3. Learned counsel for the applicant submits that two other co-accused Sanjeev Sharma & Gaya Prasad have been enlarged on anticipatory bail. He would further submit that the original sale deed was of 14.09.2017 and when it came to the notice that certain lands have been included the correction deed was executed on 25.08.2012, therefore, no further investigation is necessary in this case and the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the documents, sale deed and the correction deed and the evidence appears to be documentary in nature. Taking into consideration the fact that two of the co-accused have been enlarged on anticipatory bail and the applicant is in jail since 28.07.2017, I am inclined to release the applicant on bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum 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.

Sd/-

Goutam Bhaduri

Judge

Ashu