

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6207 of 2017

Yashwant Sahu, S/o. Late Khamhan Sahu, Aged About 50 Years, R/o.
Village Seldip, Police Station Kurud, District Dhamtari, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Of Police
Station City Kotwali, Dhamtari, District Dhamtari, Chhattisgarh.

---- Respondent

For Applicant : Mr. Anil Gulati, Advocate

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

28.11.2017

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 in connection with Crime No.257/2017 registered at Police Station- City Kotwali, Dhamtari, District Dhamtari (C.G.) for the offence punishable under Section 420, 468 of Indian Penal Code.
2. As per the prosecution case, FIR was lodged by the complainant Jagdish Sahu on 20.07.2015 that the present applicant has received an amount of Rs.3,50,000/- for sale of land and entered into an agreement. Subsequently, it was found that there was no land, thereby, on the basis of false agreement, the offence has been committed.
3. Learned counsel for the applicant would submit that the complainant have entered into an agreement and compromise has been affected, which would be evident from the order sheet dated 12.10.2017, consequently no further investigation is necessary

and the FIR has already been filed; therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the order sheet of the Court below dated 12.10.2017 wherein it records that Jagdish Sahu & Dilip Sinha has entered into compromise without any fear and pressure. Considering such averments in the order sheet and the fact that charge sheet has been filed and the applicant is in jail since 20.07.2017, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge