

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7590 of 2016

1. Kanti Devi, wife of Shri Sudama Dubey, aged about 75 years, R/o. Village-Khutanpara, Pratappur. Present resident Nawagarh, Ambikapur, District – Surguja (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Police Station Kotwali, Ambikapur, District – Surguja (C.G.)

---- Respondent

For Applicant : Mr. V.K. Pandey, Advocate

For Respondent/State : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

02/01/2017

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.632/2016, registered at Police Station – Kotwali, Ambikapur, District – Surguja (C.G.) for the offence punishable under Section 120-B, 419, 420, 467, 468, 447 and 388/34 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by Rajesh Agrawal that in the year 2016, Krishna Rajwade and Janardan Kushwaha along with present applicant agreed to sale the land bearing Kh.No.259/1 admeasuring 0.46 hectare and received an amount of Rs.2,05,000/-. Subsequently, when the sale deed was not executed, notices were exchanged between the parties then it was revealed that the present applicant pretended her as Mankunwar and has executed the sale deed. Thereby the offence has been committed.

3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and there is no evidence against the applicant and the applicant is in jail since 10.09.2016. Therefore, the counsel prays that the applicant may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Perused the statement of the complainant, wherein it is stated that the amount has been received by the present applicant. Considering the way the offence has been committed, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Balram