

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7105 of 2017

Om Prakash Verma @ Om Prakash Parganiya, S/o. Late Ramji Verma,
Aged About 43 Years, R/o. Ward No. 05, Rajhara Camp, Ahiwara, Police
Station Nandini, District Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station
Nandini Nagar, District Durg, Chhattisgarh.

---- Respondent

For Applicant : Mr. Vivek Sharma, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

11.12.2017

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 in connection with Crime No.191/2017 registered at Police Station- Nandini Nagar, District Durg (C.G.) for the offence punishable under Sections 417, 420, 467, 468, 34, 471, 120-B of Indian Penal Code.
2. As per the prosecution case, a report was made by Bhanupratap Sahu that he wanted to sell his land, therefore, he contacted one Arun Kumar Sahu and the Rin-pustika was given. Subsequently, he received a legal notice wherein it was stated that the complainant has agreed to sell some land to one Mundra and on having enquired, it revealed that the present applicant alongwith Arun Kumar Sahu had fraudulently obtained an amount of Rs.4 Lakhs of sale consideration of Rs.6 Lakhs by affixing the photographs of Omprakash Verma in the Rin-pustika.

3. Learned counsel for the applicant submits that there is no hand-writing expert report has been placed on record to show that the agreement was not entered into by the complainant. He further submits that the main allegation is attributed to Arun Kumar Sahu, therefore, the present applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and documents. Considering the nature of allegation against the present applicant, it appears that the main allegation is attributed to Arun Kumar Sahu and taking into fact that charge sheet has been filed and the applicant is in jail since 24.07.2017, 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