

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 8362 of 2016**

Yogendra Mehar, S/o. Shri Bhim Ram Mehar, Aged About 46 Years, R/o. Koshtapara Palace Road, Raigarh, District- Raigarh, Chhattisgarh, Police Station- Chakradharnagar, District- Raigarh, Chhattisgarh.

**---- Applicant**

**Versus**

State Of Chhattisgarh, Through Station House Officer, Police Station- Kotra Road, District- Raigarh, Chhattisgarh.

**---- Respondent**

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For Applicant : Mr. Ashutosh Pandey, Advocate.

For Respondent : Mr. Sangharsh Pandey, Dy. Govt. Advocate.  
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**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 for grant of regular bail to the applicant who has been arrested in connection with Crime No.205/2016 registered at Police Station- Kotra Road, District Raigarh (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 464, 419, 120-B of Indian Penal Code.
2. Case of the prosecution, in brief, is that one Korba West Power Company Limited was acquiring the land for Railway from Chhote Bhandar to Bhupendrapur at Raigarh and in order to acquire such land, the Rin Pustika of different villagers were taken away by one Chandrashekhar Choudhary and thereafter, fake Aadhar Cards were prepared and on the basis of the fake Aadhar Cards, the sale deeds were executed in the name of fake persons in favour of the Company and the present applicant has been inculpated on the

memorandum statement of Chandrashekhar Choudhary. Thereby the offence has been committed.

3. Learned counsel for the applicant would submit that the applicant is not the beneficiary and the sale consideration has not passed through the present applicant. He submits that the charge sheet has been filed and no further investigation is necessary. He further submits that the other co-accused against whom the similar allegations are leveled has been enlarged on bail by this Court on 29.11.2016 in MCRC No.7516 of 2016, therefore, the present applicant may also be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances, nature of evidence available which appears to be documentary in nature and further taking into fact that the charge sheet has been filed, offences are triable by JMFC and the other co-accused Chandrashekhar Choudhary has been enlarged on bail, 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