

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8379 of 2016

- Mangal Kodape S/o Kotiya Kodape, Aged About 55 Years R/o Village Bagrekasa, Police Station Bortalab, Tahsil Dongargarh, District Rajnandgaon, Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kotwali, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant : Mr. Abhishek Sharma, Advocate

For Respondent/State : Mr. Neeraj Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02-01-2017

1. This is first bail application filed under Section 439 of the Cr.P.C., for grant of regular bail to the applicant who has been arrested on 17-5-2016 in connection with Crime No. 166 of 2016 registered at Police Station Kotwali, District Rajnandgaon (CG) for the offence punishable under Sections 419, 420, 467, 468, 471/34 of IPC and Sections 66(C) and 66 (D) of the Information and Technology Act.
2. Case of the prosecution, in brief, is that the land which was in the name of Manoj Kumar, Sufal and Dwarika was sold to one Sufiyan Saeed Khan by Venkatesh, Teekamram and Krishna by false personification and fake Aadhar Card, Rin Pustika and Voter ID. It is alleged that the present applicant used to arrange fake sellers to sell the land to different persons and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case, no allegations have

been attributed against the present applicant, except the memorandum statement of Teekamram and Krishna . He would further submit that charge-sheet has been filed, the applicant is in jail since 17-5-2016 and no further investigation is necessary, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail application and would submit that the case of the present applicant is similar to that of other co-accused namely Rajachand Khobragarhe whose bail application has been dismissed vide order dated 4-10-2016 passed by this court in M.Cr.C.No.6115 of 2016, therefore, he is not entitled to be released on bail.
5. I have heard learned counsel for the parties, perused the case diary and documents including the memorandum statements of other co-accused Teekamram and Krishna.
6. As per memorandum statements of other co-accused Teekamram and Krishna, present applicant was instrumental in projecting them as fake sellers to different persons and sale deed was executed.
7. Taking into consideration all the facts and circumstances of the case, nature of allegation and degree of offence and the manner in which the aforesaid offence has been committed, I am not inclined to release the applicant on bail, at this stage.
8. Accordingly, the application filed under Section 439 of the Cr.P.C., is liable to be and is hereby dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Raju