

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 8488 of 2016

1. Smt. Nitu Banjare, W/o. Nandu Banjare, aged about 28 years,
 2. Nandu Banjare, S/o. Pyari Banjare, aged about 35 years,
- Both are R/o. Village- Parsada, P.S. -Vidhan Sabha Raipur, Revenue and Civil District – Raipur (C.G.)

---- Applicants

Versus

State of Chhattisgarh, Through : the Police Station Civil Line, District – Raipur (C.G.)

---- Respondent

For Applicants	:	Mr. P.K. Tulsyan, Advocate
For Respondent	:	Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

13/01/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.231/2016, registered at Police Station- Civil Line, District – Raipur (C.G.) for the offence punishable under Section 420, 467, 468, 471, 120(B) and 34 of Indian Penal Code.
2. Case of the prosecution in brief is that a report was made by the complainant, Smt. Masuma Bano that she purchased the land on 30.12.2013 and Smt. Nitu Banjare executed the sale deed and personified herself as Ghasnin Bai and the applicant No.2, Nandu Banjare signed the sale deed and identified Nitu Banjare as Ghasnin Bai, though Ghasnin Bai was the mother of the applicant No.2, Nandu Banjare and mother-in-law of Nitu Banjare, the applicant No.1. Thereby the offence has been committed.

3. Learned counsel for the applicants would submit that as per the authority of Ghasnin Banjare, the sale deed was executed and later on some agreement was arrived at and compromise has been affected and the affidavit has been placed on record. It is further submitted that charge-sheet in this case has been filed and the applicants are in jail since 16.08.2016, therefore, the counsel prays that the applicants may be enlarged on bail.
4. The State counsel was directed to verify the affidavit of Masuma Bano, filed by the applicants.
5. The State on verification submits that the complainant and the applicants have entered into a compromise and no objection have been preferred.
6. Taking into such fact and the fact that charge-sheet in this case has been filed and the applicants are in jail since 16.08.2016, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicants shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge