

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8382 of 2016

- Mukund Pal S/o Dujeram Pal, Aged About 28 Years R/o Village Kolar, Tahsil Abhanpur, District Raipur, Chhattisgarh.

---- **Petitioner**

Versus

- State Of Chhattisgarh Through The District Magistrate, Police Station Supela, District Durg, Chhattisgarh.

---- **Respondent**

For Applicant : Mr. Jitendra Gupta, Advocate

For Respondent/State : Mr. Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

06-01-2017

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 on 31-8-2016 in connection with Crime No. 684 of 2016, registered at Police Station Supela, District Durg (CG) for the offence punishable under Sections 418, 420, 467, 468, 471 and 120-B read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that a report was made by the complainant Bairagi that he entered into an agreement for purchase of land with Vishu Lodhi and paid an amount of Rs.4,00,000/- and thereafter it was revealed that actually the said land does not belong to Vishnu Lodhi and Vishunu Lodhi was impersonified by Nehru Lodhi and forged document was prepared whereby the said amount was paid. During investigation, on the memorandum statement of Nehru Lodhi, it was revealed that present applicant Mukund Pal had prepared forged Rin Pustika, stamp and seal and

he used to supply the same to different persons and thereafter certain articles were seized from the present applicant and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicant would submit that initially an application was filed by the Complainant under Section 156(3) of Cr.P.C., naming Nehru Lodhi, Kehamlal Yadav, Gajendra and Puranik Lal Sapha wherein the applicant was not named and only on the basis of memorandum statement of Nehru Lodhi, present applicant has been inculpated. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 31-8-2016 and no further investigation is required, therefore, he may be released on bail.
4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and documents and the memorandum statement of Nehru Lodhi and the basis of his memorandum Rin Pustika of Vishnu Lodhi and Voter ID of Vishnu Lodhi were recovered from the possession of the present applicant.
6. Taking into consideration the facts and circumstances of the case, nature of allegation and degree of offence and further considering the role played by the applicant, 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 liable to be and is hereby dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Raju