

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8424 of 2016

- Rameshwar Yadav S/o Shri Mayaram Yadav Aged About 65 Years
R/o Village Heerapur Police Station Chandrapur, Tahsil Dabhara,
District Janjgir Champa, Chhattisgarh. **--- Applicant**

Versus

- State of Chhattisgarh Through Police Thana- Kotra Road, Raigarh,
District Raigarh, Chhattisgarh. **--- Respondent**

For the applicant	:	Mr. Sharmila Singhai, Advocate
For the Respondent	:	Mr. Sangharsh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

04.01.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No.205/2016 registered at Kotra Road, Raigarh, Distt. Raigarh (C.G) for the offence punishable under Sections 420, 467, 468, 471, 464, 419 & 120 (B) of IPC.
2. As per the prosecution case, 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 present applicant along-with Chandrashekhar Choudhary arranged fake persons and sale deeds were executed. Likewise in the series, the applicant appeared in place of Ghasilal Choudhary and personified himself as Ghasilal Choudhary and executed the forged sale deed in connivance with Chandrashekhar Choudhary thereby the offence has been committed.

3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and the other accused Chandrashekhar Choudhary and Samaylal Dewangan have been enlarged on bail by this Court in M.Cr.C. Nos. 7516 & 7850 of 2016 and the present applicant is in jail since 06.08.2016. She further submits that the charge sheet has been filed and no further investigation is necessary, therefore, the applicant may be enlarged on bail
4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and other documents.
6. Considering the facts and circumstances of the case especially the fact that the charge sheet has been filed and the other accused against whom similar allegations were levelled have been enlarged on bail by this Court in M.Cr.C. Nos. 7516 & 7850 of 2016 whereas the applicant is in jail since 06.08.2016 and further considering the nature of evidence as all the evidence appears to be documentary in nature, I am inclined to release the applicant on regular bail.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-

GOUTAM BHADURI
JUDGE