

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 542 of 2017

1. Manoj Soni, S/o. Dhup Shivbhan Soni, Aged About 38 Years, R/o. Dhacha Bhawan, Kurud Road, Jamul Bhilai, Tahsil & District -Durg, Chhattisgarh.

----Applicant

Versus

1. State Of Chhattisgarh, Through : Police Of Police Station- Dhamdha, District- Durg, Chhattisgarh.

---- Respondent

For Applicant	: Mr. B.P. Singh, Advocate
For Respondent/State	: Mr. Ashok Swarnakar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

10/03/2017

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.250/2016, registered at Police Station – Dhamdha, District – Durg (C.G.) for the offence punishable under Section 420, 467, 468, 471, 419, 120-B, R/w. Section 34 of Indian Penal Code.
2. As per the prosecution case, a report was made by complainant Vimal Daga that he entered into an agreement on behalf of his wife to purchase the land of Baluram Sahu and Rs.13, 61,600/- was the sale consideration. It is alleged that on the basis of forged Rin-pustika, B-1 and other revenue documents, the government land was sold showing the land to be that of Balu Ram. It is alleged that the applicant was attesting witness in the sale deed dated 01.09.2015. Thereby the offence has been committed.

3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and one Rewaram, who is similarly placed co-accused has been enlarged on bail. It is further submitted that charge-sheet in this case has been filed and no further investigation is necessary, therefore, the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary, documents and statement. Perusal of the statement of Vimal Daga, shows that sale consideration was given to Baluram. Considering the facts and circumstances of the case and further taking into the fact that charge-sheet in this case has been filed and the applicant is in jail since 27.09.2016, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge