

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2215 of 2017

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

---- Applicant

Versus

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

---- Respondent

For applicant - Shri Abhishek Sharma, Advocate.
For Respondent/State –Shri Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

19/04/2017

1. This is second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed on 2/01/2017 vide M.Cr.C. No. 8379 of 2016.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.166/2016 registered in Police Station Kotwali, District Rajnandgaon (C.G.) for offence punishable under sections 419, 420, 467, 468, 471/34 of Indian Penal Code and Section 66(C) and 66 (D) of the Information and Technology Act (as per final report).
3. As per the prosecution case, 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.
4. Learned counsel for the applicant submits that after rejection of the

earlier bail on 2/01/2017 memorandum witnesses namely Horilal Verma and Rajju Gupta have been examined and they have not supported the case of prosecution and on that basis another co-accused Rajachand Khobragarhe has been enlarged on bail vide M.Cr.C. No.8441/2016 and case of the applicant is similar to that of co-accused Rajachand Khobragarhe, therefore the applicant may be released on bail.

5. Learned State counsel do not dispute the fact that case of the applicant is similar to that of co-accused Rajachand Khobragarhe who has been enlarged on bail vide M.Cr.C. No.8441/2016 on 16/03/2017.

6. Considering the submission made by learned State counsel that similarly placed co-accused Rajachand Khobragarhe has been enlarged on bail vide M.Cr.C. No.8441/2016 on 16/03/2017, this court is inclined to release the applicant on bail.

7. Accordingly, the second bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE