

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4759 of 2017

- Heeralal Karsh S/o Manharan Karsh, Aged About 33 Years R/o Taldevri Police Station Birra, District Janjgir- Champa, Chhattisgarh.
----- **Petitioner**

Versus

- State of Chhattisgarh, through Station House Officer, Police Station Out Post Chowki, Manikpur, Police Station Kotwali, District Kora, Chhattisgarh.
--- **Respondent**

For the applicant	:	Mr. Awadh Tripathi, Advocate
For the respondent	:	Mr. Sangharsh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.07.2017

1. This is second bail application filed u/s 439 of the Code of Criminal Procedure for grant of bail to the applicant in connection with Crime No. 292 of 2017 registered at P.S. out post Chowki, Manikpur, Kotwali, Distt. Korba (CG) for the offence punishable under sections 420 IPC.
2. As per the prosecution case, a report was lodged by one Ram Prasad Karsh that the present applicant in the year 17.09.2013 entered into an agreement with the complainant for the sale of property and received an amount of Rs.7 lakhs and handed over the possession. Subsequently again in the year 2014 the applicant sold the same to Ashwani and Kuldeep, and others for Rs.10,40,000/- thereby committed fraud.
3. Learned counsel for the applicant would submit that this is second bail petition and the first one was dismissed as withdrawn on 15.06.2017 with liberty to repeat the same

after filing of the charge sheet. He submits that by relation the applicant and complainant are brother-in-laws to each other and it is purely a monetary transaction. He further submits that now 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 documents as also the agreement which is also on record.
6. Considering the nature of transaction and all the evidence available in this case appears to be documentary nature as also the fact that the charge sheet has been filed and the applicant is in jail since 08.05.2017 I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court for his appearance before the said Court.

Cc as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**