

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 555 of 2018

Krishna Mehar S/o Laxman Mehar, aged about 35 years, presently residing at ward No. 11, Shanti Nagar, O.P. Chikhli, District- Rajnandgaon (C.G.)

---- Applicant

Versus

State of Chhattisgarh, through – Station House Officer, Police Station Kotwali, District Rajnandgaon (C.G.).

---- Respondent

AND

MCRC No. 1506 of 2018

Tikam Ram Sahu S/o Tiju Ram Sahu, aged about 37 years, R/o Piteyani, Police Station Bortalab, Tahsil Dongargarh, District Rajnandgaon (C.G.).

---- Applicant

Versus

State of Chhattisgarh, through – Station House Officer, Police Station Kotwali, District Rajnandgaon (C.G.).

---- Respondent

For Appellants	:	Mr. Roop Naik, Advocate
For Respondent	:	Mr. Neeraj K. Sharma, Dy. Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board

22/03/2018

1. Heard.
2. Since both the cases arise out of same Crime number, therefore, they are being disposed of by this common order.

3. The applicants have preferred first bail application (in both the cases) under Section 439 of the Cr.P.C for grant of regular bail as they are arrested in connection with Crime No. 166/2016 registered at Police Station- Kotwali, District- Rajnandgaon (C.G.) for the offence punishable under Sections 419, 420, 467, 468, 471/34 of IPC and Section 66 (C) and 66(D) of the Information and Technology Act, 2000.
4. As per the case of the prosecution, a land which was in the name of Manoj Kumar, Sufal and Dwarika was sold to one Sufiyan Saeed Khan by Venketesh, Tikamram and Krishna by false personification and fake Aadhar Card, Rin Pustika and Voter ID was prepared by the present applicants. Thereby the offence has been committed
5. Learned counsel appearing on behalf of the applicants submits that the applicants have been falsely implicated in the present case, the main accused Rajachand Khobragade and co-accused namely Mangal Kodape , Pawan Kumar and Rakesh Sori have already been granted bail by the coordinate bench of this Court. He further submits tat the memorandum and seizure witnesses Horilal and Raju Gupta have been examined before the Court and they have not supported the case of the prosecution and even the seizure itself has not been proved, therefore, he prays for releasing of the applicants.
6. Per contra, learned counsel appearing on behalf of the State opposes the bail application, however, he is not able to dispute the fact that seizure witnesses have not supported the case of the prosecution.
7. I have heard learned counsel for both the parties.
8. Considering the facts and circumstances of the case and further taking

into the fact that seizure witnesses in this case have been examined before the Court below and they have not supported the case of the prosecution and co-accused have already been granted bail, this court is inclined to release the applicants on bail.

9. Accordingly, MCRC. No. 555/2018 & MCRC No. 1506/2018 are allowed.
10. It is directed that the applicants shall be released on bail on each of them executing personal bond for a sum of Rs. 20,000/- with one surety in the like sum to the satisfaction of the trial Court. Thereafter, they will appear before the Trial Court on each and every date as are given to them by the said Court in this regard.

**Sd/-
Judge
Arvind Singh Chandel**