

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1501 of 2018

1. Harish Sahu S/o Rajnarayan Sahu, Aged About 33 Years, R/o Village Karda, At Present R/o Lawan, Police Station And Tahsil Baloda Bazar, District Baloda Bazar- Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
2. Fulchand S/o Bothram Satnami, Aged About 62 Years, R/o- Village Karda, Tahsil Baloda Bazar, District- Baloda Bazar-Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
3. Rameshar S/o Heeraram Satnami Aged About 68 Years, R/o- Village Karda, Tahsil Baloda Bazar, District- Baloda Bazar-Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
4. Lakesh @ Gabbar S/o Tularam Satnami, Aged About 32 Years, R/o- Village Pahanda, P.S. And Tahsil Baloda Bazar, District- Baloda Bazar-Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Baloda Bazar, District Baloda Bazar Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Non-applicant

For Applicants – Shri Shiv Kumar Guha, Advocate.

For Non-applicant/State – Shri Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

27-04-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicants for grant of regular bail. Applicant No.1 to 3 have been arrested on 15-03-2017 and applicant No.4 has been arrested on 12-01-2018 in connection with Crime No. 207/2016 registered at P.S. - Baloda Bazar, District Baloda Bazar Bhatapara, Chhattisgarh for the offence under Section 420, 419, 467, 468, 471 of the IPC.
2. It is submitted on behalf of the applicants that the applicants have been falsely implicated in this case. No case is made out against them. Similarly placed co-accused persons, namely, Mansha Ram has been granted anticipatory bail and Jitendra Banjare has been granted regular bail. Charge

sheet has been after completion of the investigation. Applicant No.4 is in jail since 12-01-2018 and other applicants are in jail since 15-03-2017 and the trial against them is still pending. Hence, it is prayed that the applicants may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application and submits that applicant No.2 and 3 are the persons who impersonated as the real land owners in the execution of sale-deed and applicant No.1 and 4 are the facilitators, hence, they all are not entitled for grant of bail.

4. Heard learned counsel for the parties and perused the case diary.

5. The case is this, that a sale-deed was executed in which the deceased co-accused namely Tukaram and Tularam were impersonated by applicant No.2 and applicant No.3, whereas, allegation against applicant No.1 and applicant No.4 is this that they facilitated with execution of the sale-deed.

6. Considered on the material present in the case diary and looking to this fact that co-accused person has been granted regular bail as well as anticipatory bail and also the trial against the applicants is not concluded so far, I am of this view that these applicants deserve to be granted regular bail.

7. Consequently, this application filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned Court, for their appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge