

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1722 of 2018

Bhawar Lal Pawar S/o Keshrimal Pawar Aged About 53 Years R/o- Saja Police Station- Saja, District- Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through- The Station House Officer, Police Station- Than Khamariya, District- Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh

---- Respondent

Ms. Sharmila Singhai, counsel for the applicant/s.

Shri S. Majid Ali, Dy. Govt. Advocate for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

06/04/2018

Heard.

This is second application for grant of bail. First bail application was dismissed as withdrawn with liberty to revive if trial is not concluded within three months.

2. The applicant has been arrested in connection with Crime No.65 of 2017 registered at Police Station- Than Khamriya, District - Bemetara (C.G.) for alleged commission of offence under Sections 420, 467, 468, 471/34 of IPC.

3. Case of the prosecution is that the applicant along with other four persons, falsely impersonated Yuvraj as Birendra and the property of Birendra was sold by such impersonation.

The allegations against the applicant is that it was the applicant who introduced Yuvraj.

4. Learned counsel for the applicant would submit that at present, the trial is going on snail's pace and the applicant has undergone almost one year of

imprisonment. Therefore, at this stage, the applicant may be granted bail as he is not likely to abscond or tamper with the prosecution witnesses.

5. On the other hand, learned State counsel submits that looking to the nature of allegations and role played by the applicant, he may not be granted bail.

6. Taking into consideration the submission made by learned counsel for the parties, particularly taking into consideration the period of detention of the applicant and that he does not appear to be habitual offender of commission of offence of similar nature in the past, the application is allowed.

7. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties for the like amount to the satisfaction of the concerned trial Court, with following further conditions:

- (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge