

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2029 of 2018

- Raghvendra S/o Ratanlal Satnami Aged About 50 Years R/o- Village- Hemaband, Police Station City Kotwali, Dadhi, Tahsil And District- Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, P.S. City Kotwali, Bemetara, District- Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh

---- Respondent

For Applicant : Mr. R.S. Patel, Advocate.
For Respondent : Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

07/05/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.214/2012, registered at Police Station– City Kotwali, District– Bemetara(C.G.) for the offence punishable under Sections 420, 467, 468, 481 & 120-B of Indian Penal Code (for short 'IPC').
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 12.02.2018. The case is of the year of 2012 when the land belonging to one Ram Chandra was sold by impersonation by co-accused

persons to Santosh Kumar whereas the actual owner of the land by name Ram Chandra was inside the jail in connection with some offence.

3. A written complaint was filed by Santosh Kumar dated 2.6.2012, on that basis FIR was lodged and final report was filed on 25.10.2012, but the investigation was kept pending with respect to this applicant. Subsequently charge-sheet has been filed after lapse of more than 5 years. One co-accused Tarun Dahre has been granted bail by the coordinate Bench of this Court. Hence, it is prayed that applicant may also be enlarged on regular bail.
4. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that this applicant has assisted in the commission of crime because he was assisting the Patwari, who has been arrayed as an accused in this case. Hence, no case is made out for grant of bail.
5. Heard both the parties and perused the case diary.
6. In the year 2012, a sale-deed was registered by one Nandu @ Nand Kumar impersonating as Ram Chandra and on that basis the registered sale-deed of land in question was executed. The name of this applicant has not appeared in the written complaint and FIR.
7. After due consideration on all the material that is present and proposed to be brought against this applicant and that the trial against him is likely to take some time for its final conclusion, I am of this view that this is a fit case where the applicant should be enlarged on regular bail.
8. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on

him furnishing a personal bond for a sum of Rs.25,000/-with one surety in the like sum to the satisfaction of the concerned trial Court, for him appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Nisha