

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 2226 of 2018**

Manglu Yadav, S/o. Nakul Yadav, Aged About 60 Years, R/o.- Village Kathani,
Police Station and Tehsil- Pusour, District- Raigarh, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Through- P.S.- City Kotwali, District- Raigarh,
Chhattisgarh.

---- Respondent

For Applicant	: Mr. Vinit Kumar Pandey, Advocate
For State/respondent	: Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****18/05/2018**

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.543/2016, registered at Police Station – City Kotwali, Raigarh, District – Raigarh (C.G.), for the offence punishable under Section 420, 467, 468, 471 and 120-B of the Indian Penal Code. The first bail application of the applicant was dismissed as not pressed vide order dated 23.10.2017 in M.Cr.C. No.2415/2017.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this. No case is made out against him according to the material present in the charge-sheet filed

against him. Applicant is in jail since 19.09.2016 and till date not a single witness has been examined before the trial Court, hence, because of the delay in conclusion of trial, the applicant is languishing in jail without any fault. It is submitted that co-accused persons have been enlarged on bail by this Court. Hence, it is prayed that the applicant may also be released on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that this applicant happens to be a main accused in this case and responsible for the forgery and fraud committed, hence, he is not entitled for grant of bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. The case against the applicant is this that the applicant forged the documents showing himself as owner of the disputed land, which actually belonged to Jambo Bai and on that basis executed a registered sale deed in favour of one Arjun Singh and thus the offence was committed by him.
6. Considered on the submissions made, contents of the case diary and the entire material present in the charge sheet. Although this applicant is the main accused person, but the trial against him is getting delayed, applicant is local resident of District – Raigarh and the co-accused person has been granted bail by this Court, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one local surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram