

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.2310 of 2018**

Anand alias Romi Ushya, Age 39 years, S/o Shri Santoshi Kumar Ushya,
R/o Village Amlitalab, Thana Kharora, District Raipur, currently residing
Basant Park, House No.A/2, Mahavir Nagar, Thana-New Rajendra Nagar,
Tahsil and District Raipur (CG)

---Applicant

Versus

State of Chhattisgarh Through Police Station Golbazar, Raipur, District
Raipur (CG)

---Non-Applicant

For Applicant	:	Mr.Ali Asgar, Advocate
For Non-applicant	:	Mr.R.N.Pusty, Govt.Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

30/04/2018

1. This is the first 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.59/2018, registered at Police Station-Gol Bazar, Raipur, District-Raipur (CG), for the offence punishable under Sections 420, 467, 468, 471 and 120B/34 of the IPC.

2. Case of the prosecution, in brief, is that the applicant on the basis of forged power of attorney dated 27.7.2011 sold the land of the complainant on 29.8.2011 and thereby committed the offence.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that the applicant was duly appointed as agent of the complainant and he has acted within

that capacity and sold the land and on the complaint made by the complainant on 11.11.2014, F.I.R. has been registered and the applicant has been arrested on 22.2.2018.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, extent of delay in lodging the F.I.R. and nature of dispute between the parties, 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 the applicant shall be released on bail on his furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-