

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 2844 of 2018**

Karan Chandrakar, S/o. Shri Ramkhilawan Chandrakar, Aged About 62 Years,
R/o.- Old Ravanbhata, Raipur Road, Mahasamund, Police Station- Kotwali
Mahasamund, District- Mahasamund, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- P.S. Pithora, District- Mahasamund,
Chhattisgarh.

---- Respondent

For Applicant : Mr. Sudeep Agrawal, Advocate

For State/respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**26/06/2018**

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.65/2017, registered at Police Station – Pithora, District – Mahasamund (C.G.), for the offence punishable under Section 420, 408, 409, 466, 467, 468, 471, 120-B read with Section 34 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is in jail since 06.04.2018. Charge-sheet has been filed after completion of

investigation. No case is made out against this applicant on the basis of the material present in the charge-sheet. It is submitted that similarly placed co-accused namely Benjamin Sikka has been enlarged on bail by the Coordinate Bench of this Court in M.Cr.C. No.6401/2017 vide order dated 12.12.2017. Hence, it is prayed that the applicant may also be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the prosecution case, this applicant is the Patwari of the circle and the allegation against him is this that he interpolated the revenue records showing Khemin Bai as owner of the land, which was acquired and compensation of Rs.7.00 lakhs was released in her favour. The compensation amount was withdrawn by one Shivkumar Tiwari through cheque in fraudulent manner. On coming to know about the incident, Khemin Bai has lodged FIR against all the concerned.
6. Considered on the submissions made and the contents of the case diary. In the present status of the case, charge- sheet has been filed showing the applicant as absconding and the case is pending before the Court of J.M.F.C., Pithora. There is no requirement of any custodial interrogation of this applicant, 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 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