

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8051 of 2017

- Rakesh Verma Son Of Late Jagmohan Verma, Aged About 50 Years
Occupation Private Job, Resident Of Boir Dadar, Police Station
Chakradhar Nagar, District Raigarh, Chhattisgarh., Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Hirri, District Bilaspur,
Chhattisgarh., Chhattisgarh

---- Respondent

For Applicant	:	Ms. Sunil Otwani, Advocate.
For Respondent/State	:	Mr. Anil S. Pandey, Govt. Advocate.

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

05/03/2018

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.91/2017, registered at Police Station– Hirri, District– Bilaspur(C.G.) for the offence punishable under Section 420, 467, 468, 471, 472 r/w 34 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. The only allegation against him is this, that he helped the co-accused namely-Smt. Seema Verma to collect some amount with respect to the agreement to sale entered into between the co-accused person and the complainant of the case for sale of some lands, in which this applicant was not a party. No case is made out against him. Applicant is in jail since 14.1.2017

and he is ready to abide by all the conditions and directions, which may be imposed while granting bail to him. Hence, it is prayed that applicant be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that the details of the collection made by the applicant is present along with the list annexed with the agreement entered into between the complainant and the co-accused person Smt. Seema Verma, hence, participation of this applicant in commission of offence cannot be denied at this stage, because of which he is not entitled for grant of bail.
4. Heard both the parties and perused the case diary.
5. According to the case of prosecution and oral agreement took place between the co-accused Seema Verma and the complainant Lalit Kumar Chourasiya for sale of land, total sale amount of Rs.58 lakhs was paid by complainant to Seema Verma by directly paying her or through her brother this applicant. A written agreement was executed on 30.6.2011 by co-accused Seema Verma but subsequent to that no transfer of land was made in favour of the complainant because of which the FIR was lodged against main accused Seema Verma and this applicant.
6. Perused the statement of the witnesses present in the case diary and looking to the evidence that is proposed against this applicant to prove this case against him, for this reason, I am of this view that applicant should be released on regular bail during the pendency of the trial Court against him.
7. 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 his

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 his appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Nisha