

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3331 of 2018

- Lalla @ Akash Pandey @ Shashidhar Pandey S/o Bhrigunandan Pandey, Aged About 29 Years, Caste- Bramhan, R/o- Village- Baghima, Police Station And Tahsil- Rajpur, District- Balrampur- Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station, Jaynagar, District- Surajpur, Chhattisgarh., District : Surajpur, Chhattisgarh

----Non-applicant

For Applicant – Shri Kishore Bhaduri and Shri Jitendra Shrivastava, Advocates.
For Non-applicant/State – Shri Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

03-08-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 08-03-2018 in connection with Crime No.248/2015 registered at P.S. - Jaynagar, District- Surajpur,, Chhattisgarh for the offence under Section 419, 420, 467, 468, 120-B of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 08-03-2018. No case is made out against him. The complainant has made a totally false allegation against this applicant who has simply assisted the co-accused persons in opening bank account, which is not a criminal act and it is further submitted that charge sheet has been filed. Hence, it is prayed that the applicant may be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that the complainant has made allegation mainly against this applicant and one Sudama Shrivastava that they conspired for commission of

offence of cheating. Hence, this applicant is not entitled for grant of bail.

4. Heard learned counsel for the parties and perused the case diary.

5. The case against this applicant is this, that he along with co-accused Sudama Shrivastava hatched a conspiracy in which the land belonging to deceased Peeyar and Gahbar was sold to complainant Purushottam Agrawal by a registered sale deed in which two other co-accused persons impersonated as deceased Peeyar and Gahbar and the amount of consideration so paid was received by all the accused persons.

6. After considering on the material present in the case diary and also considering this fact that charge sheet has been filed against this applicant and he has to face trial, I feel inclined to grant regular bail to this applicant.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. 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 Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge