

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 3503 of 2018**

1. Pradeep Das S/o Pratap Chandra Das Aged About 39 Years R/o- Village Manjhigudapara, Navrangpur, P.S. And District Navrangpur (Orisha) At Present Abedkar Ward, Nayamunda, Vikram Khora, P.S. Bodhghat, District- Jagdalpur, Chhattisgarh.
2. Jagbandhu @ Jaiki Bhatara S/o Ram Singh Bhatara Aged About 36 Years Caste- Bhatara, R/o- Santoshi Ward, Near Luthran Church P.S. Bodhghat, District- Jagdalpur, Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh Through- Station House Officer, Kotwali, Jagdalpur, District- Bastar, Chhattisgarh.

----Non-applicant

For Applicants	:	Mr. R.K. Pali, Advocate along with Mr. Amit Kumar Sahu, Advocate
For State Advocate	:	Mr. Shashank Thakur, Govt.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****28/06/2018**

1. This is an application filed under Section 439 Cr.P.C. for grant of bail to the applicants, who have been arrested in connection with Crime No. 449/2017 registered at Police Station Kotwali, Jagdalpur, District Bastar, Chhattisgarh for the offence punishable under Sections 419, 420, 467, 468, 471, 120-B of Indian Penal Code.
2. The present applicants are in jail since 06.12.2017 in connection with the aforesaid Crime number.
3. The case of the prosecution against the present applicants is that the present applicants are said to have induced the husband of the complainant Satyawati namely Joseph in selling his property unknowingly to one Anil Kumar Rai.

4. The counsel for the applicants submits that it is a case where the complainant cannot have any grievance because they have been paid the consideration for the sale of the property, secondly according to the counsel for the applicants there is a huge delay of more than 3 years in lodging of the F.I.R. It is further submitted that the seller of the land i.e. the husband of the complainant has not been made an accused in the instant case and the purchaser also has not been made an accused in the instant case.
5. The State counsel however opposing the bail application submits that it is a case where the present applicants are said to have taken advantage of the illiteracy of the complainant and her husband. That because they are poor and rustic villagers, the present applicants misguided the husband of the complainant of going to the Registrar office with an intention of obtaining patta on the government land in his possession and there they informed him that his government land for which he has received patta would be sold to one Anil Kumar Rai. Thereafter, the applicants are said to have sold the property over which the husband of the complainant has an exclusive title and ownership without his knowledge. It is submitted by the State that it is the present two applicants, who are the main accused persons and therefore they do not deserve bail.
6. Having heard the contentions put forth on either side and on perusal of record, particularly taking note of the allegation which has been leveled against the applicants and also considering the gravity of the offence and the manner in which it has been

executed, wherein the complainant and her husband have been exploited by the present applicants, this Court is of the opinion that it is not a fit case for grant of bail to the applicants. Accordingly, the present bail application stands rejected.

Sd/-
(P. Sam Koshy)
Judge

Ved