

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.3862 of 2018**

- Rajesh Kumar S/o. Shri Vinesar Prajapati, aged about 32 years, Caste Kumhar, Occupation agriculturist, R/o. Vill. Dharti para, Police Chowki, Karanji, PS Vishrampur, Tahsil _ Bhaiyathan, Distt. Surajpur.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Chowki Karanji, Police Station Vishrampur, Distt. Surajpur, Chhattisgarh.

---- Respondent

For Applicant	: Shri PK Patel and Shri Dashrath Kushwaha, Advocates
For respondent/State	: Shri Sanjeev Pandey, Govt. Advocate

Hon'ble Shri Justice Ram Prasanna Sharma**Order On Board****01.8.2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, for grant of bail to the applicant who has been arrested on 05.02.2018 in connection with Crime No.28/2018, registered at Police Chowki Karanji, Police Station Vishrampur Distt. Surajpur (CG) for the offence punishable under Sections 420, 467, 468, 471 & 201 of the Indian Penal Code.

2. As per the case of the prosecution the applicant prepared false will and also signed in the said will in place of attesting witnesses for grabbing land owned by one Harinath who died on 25.12.2014.

3. Learned counsel for the applicant submits that the applicant will not act on the basis of said will in any proceedings in future

and he is in jail since 05.02.2018, the trial will take sufficient time for its conclusion, hence the applicant may be enlarged on bail.

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

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

6. Looking to the fact that the offence charged against the applicant is triable by Judicial Magistrate First Class and further looking to the fact that the trial will take sufficient time, I am inclined to allow the application.

7. Accordingly, application filed under Section 439 of the CrPC is 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 local surety in the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial Court regularly on each and every date, unless exempted from appearance

8. It is made clear that the applicant will not act on the basis of said will in any proceedings in future, failing which the bail granted to him shall stand cancelled.

Sd/-

(Ram Prasanna Sharma)

JUDGE