

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3888 of 2018

- Lakhan Singh S/o Kunwar Singh Thakur, Aged About 65 Years, R/o Village Pahanda, Tahsil Patan, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Amleshwar, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

----Non-applicant

For Applicant – Shri Prasoon Agrawal, Advocate.

For Non-applicant/State – Shri Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

04-07-2018

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 25-02-2018 in connection with Crime No.164/2017 registered at P.S. -Amleshwar, District- Durg, Chhattisgarh for the offence under Section 420, 465, 466, 201, 467 read with 34 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 25-02-2018. similarly placed co-accused persons Yashwant Singh and Ramnaresh Tandon have been granted bail by this Court. Charge sheet has been filed after completion of the investigation. 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 when the grass-land was mutated in the name of co-accused Yashwant Singh, he was a minor and hence the role of this applicant appears to be obvious, because of which, he does not deserve to be granted bail.
4. Heard learned counsel for the parties and perused the case diary.
5. As per the prosecution case, land bearing Khasra No. 323 of area 1.81

hectare situated in Village Pahanda, Distt. Durg was recorded as grass-land in revenue records, that was fraudulently manipulated and recorded in the name of co-accused Yashwant Singh with the help of another co-accused Patwari Ramnaresh Tandon in the revenue records in the year 2001. Later on, when the manipulation was discovered, reverse proceedings have been drawn and now the land has been recorded in the name of State Government. Hence, this case.

6. After considering on the material present in the case diary and also considering this fact that apart from the manipulation and recording in the revenue records, no loss has been caused to the State, I am of this opinion that the application filed by the applicant for grant of regular bail deserves to be allowed.

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