

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4027 of 2018

- Babar Khan S/o Late Shamiullah Khan Aged About 43 Years
R/o Behind Shraddhanand School, Santoshi Nagar,
Tikrapara, Raipur District Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer,
Police Station Gole Bazar, Raipur District Raipur
Chhattisgarh

---- Respondent

For Applicant : Smt. Indira Tripathi, Advocate.

For Respondent/State: Shri Satish Gupta, Government Advocate.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

01/08/2018

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime no. 72/2018, registered at Police Station Gole Bazar, District Raipur (C.G.), for the offence punishable under Sections 420, 506 & 201 of the Indian Penal Code.
2. As per prosecution story, on 10-03-2018 the informant Seikh Bukhari lodged report with the averment that he and Laxman Sahu have purchased the land in village Mulle, District

Dhamtari from the present applicant for a consideration of Rs. 15 lac by paying the consideration amount in installment. They have given certain amount through cash and some amount through cheque to the present applicant. After paying the installment the present applicant denied for performing the registration of sale deed. On the basis of the same, offence was registered under Sections 420, 506 & 201 of the IPC.

3. Learned Counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. The matter is of the civil nature and the incident was of the year 2012-14 but the FIR has been lodged about after four years in the month of March, 2018. She further submits that offence is triable by Judicial Magistrate First Class and the applicant is in custody since 10.03.2018 and trial will likely to take some time, therefore, the applicant may released on bail.
4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties and perused the case diary minutely.
6. Considering the above facts and circumstances of the case, further considering the fact that the applicant is in custody since 10-03-2018, offence is triable by Judicial Magistrate First Class and trial will likely to take some time, therefore, without further commenting on merit of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.

8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial court. Thereafter, he will appear before the Trial Court on each and every date given by the said Court.

Sd/-

(Arvind Singh Chandel)

Judge

Shubham