

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4103 of 2018

- Budhelal Koshle S/o S/o Bhagbali Koshle, Aged About 50 Years R/o Village Saklor, Police Station Suhela, District Baloda Bazar Bhatapara, Chhattisgarh. Presently R/o Itwari Bazar, House Of Dhaniram Satnami Birgaon, Police Station, Urla District- Raipur, Chhattisgarh.

---- Applicant

In Jail

Versus

- State Of Chhattisgarh Through Police Station Urla District Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Shri PK Patel, Advocate.
For Respondent/State	:	Shri Vivek Sharma, GA.

Hon'ble Shri Pritinker Diwaker, J

Order On Board

02/07/2018

The applicant has filed this application under Section 439 of CrPC for grant of bail as he is in custody since 27.3.2018 in connection with Crime No.115/2018 registered at Police Station – Urla, Distt. Raipur for the offence punishable under Section 420 of IPC.

02. As per prosecution case, the applicant had entered into an agreement with the complainant for selling the government land showing it to be of his own land, and received Rs.75,000/- from the complainant.

03. Counsel for the applicant submits that even if the entire

allegation is taken as it is, the matter is of civil nature, but has been given criminal colour. He further submits that the applicant is in jail since 27.3.2018, the offence is triable by the Magistrate First Class and Challan has already been filed.

04. On the other hand, State counsel opposes the bail application.

05. Heard counsel for the parties and perused the material available on record.

06. Considering the facts and circumstances of the case and the nature of dispute between the parties, without further commenting on merits of the case, I am inclined to release the applicant on bail. Accordingly, the application is allowed. The applicant is directed to be released on bail on his furnishing a personal bond of Rs. 2 lacs with one surety for the like sum to the satisfaction of the concerned trial Court for his appearance before it as and when directed.

Sd/

(Pritinker Diwaker)

Judge

Khan