

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Misc. Criminal Case No. 4276 of 2018**

Biselal S/o Shri Halalkhore Dhiwar, aged about 65 years, R/o- Village- Sarkhi, Police Station- Abhanpur, District- Raipur, Chhattisgarh

---- Applicant**Versus**

State of Chhattisgarh through- Station House Officer, Police Station- Abhanpur, District- Raipur, Chhattisgarh

---- Respondent

For Applicant	:	Smt. Smita Jha, Advocate
For Respondent/State	:	Shri Majid Ali, Dy. Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****12/07/2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who is in jail since 26.04.2018 in connection with crime No.01/2016, registered at Police Station- Abhanpur, District Raipur (C.G.) for the offence punishable under Sections 420, 466, 467, 468, 471, 34 & 120-B of the Indian Penal Code.
2. Case of the prosecution against the present applicant, in brief, is that the present applicant in connivance with other accused persons, some of whom are officers of the Revenue Department, have got government grass land converted into land use and the applicant has been shown to be the beneficiary of the said land.
3. Learned counsel for the applicant would submit that the age of the

applicant is more than 65 years and he is totally illiterate person and it appears that some other persons have committed the act behind the back of the applicant and the present applicant has been used to be the person behind the offence.

4. On the other hand, learned State counsel would oppose the bail application on the ground that since the applicant is beneficiary himself, it cannot be said that the act has been committed behind his back.

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

6. Given the facts and circumstances of the case and considering the age of the applicant, the period of custody of about two and a half months and also the nature of offence, this Court is of the opinion that strong case for grant of bail to the applicant is made out.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. 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 trial Court, for his appearance as and when directed.

**Sd/-
(P. Sam Koshy)
Judge**

