

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MISC. CRIMINAL CASE NO. 5005 OF 2018**

Rajnish Sahu S/o Palakram Sahu Aged About 49 Years Present R/o Rudra Vihar Colony Ashok Nagar Sarkanda Bilaspur Tahsil and District Bilaspur Chhattisgarh.

**... Applicant**

**Versus**

State of Chhattisgarh Through The Police Station Sarkanda Bilaspur District Bilaspur Chhattisgarh.

**... Respondent**

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| For Applicant        | : | Shri SC Verma, Advocate.         |
| For Respondent-State | : | Shri Arvind Dubey, Panel Lawyer. |
| For Objector         | : | Shri Pragalbha Sharma, Advocate. |

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**Hon'ble Shri Justice P. Sam Koshy**

**Order on Board**

**10/09/2018**

1. This is the first bail application seeking for grant of bail to the Applicant who is in jail since 28.06.2018 in connection with Crime No.408 of 2013 registered at Police Station Sarkanda, Distt. Bilaspur for the offence punishable under Sections 420,467,468,120-B/34 IPC.
2. As per prosecution case, the applicant in connivance with other co-accused persons is said to have played fraud with one Ram Mohan Dubey inasmuch as the property which stood in the name of Ram Mohan Dubey has been purchased by the wife of the present applicant by tampering with the records maintained at revenue department.
3. Learned Counsel for the applicant submits that the main accused Dani Ram Sahu himself has already been granted bail by this court on 22.07.2014 in M.Cr.C. No.3553 of 2014. The nature of allegation against the present applicant is much lesser than the role played by the main accused Dani Ram Sahu and therefore the present applicant may also be granted bail on the ground of parity.

4. The State counsel as well as the Objector have tried to oppose the bail application on the ground that the entire fraudulent transaction occurred at the instance of the present applicant who has planned and executed the transaction and therefore the present applicant does not deserve for bail.
5. Having heard the contentions put forth on either side and on perusal of records, this court primarily found that the basic dispute is between Dani Ram Sahu and Ram Mohan Dubey and the only allegation against the applicant seems to be a subsequent transaction between Dani Ram Sahu and the wife of the present applicant in purchasing one of the alleged disputed property which the complainant Ram Mohan Dubey claims to be his. It also reveals that there were Civil Suits filed by the disputing parties which is pending consideration before the court of law.
6. Given the aforesaid facts and circumstances of the case and also taking into consideration that there does not seem to be any strong allegation against the present applicant in the entire transaction and also taking note of the fact that the main accused Dani Ram Sahu have already been granted bail by this Court, this Court is of the opinion that the present is a fit case where the Applicant can be enlarged on bail.
7. Accordingly, the application for grant of bail is allowed. It is directed that the Applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.20,000/- with one surety of the like sum to the satisfaction of the concerned Trial Court for his appearance as and when directed.

**Sd/-**

**(P. Sam Koshy)**  
**Judge**