

HIGH COURT OF CHHATTISGARH, BILASPUR

MISC. CRIMINAL CASE NO. 5282 OF 2018

Reman Sahu S/o Puranik Sahu, aged about 29 years R/o village Sarkhi, Police Station Abhanpur, Distt. Raipur (CG).

... Applicant

Versus

State of Chhattisgarh Through The Station House Officer, Police Station Abhanpur, Distt. Raipur (CG).

... Respondent

For Applicant	:	Ms. Smita Jha, Advocate.
For Respondent-State	:	Shri RN Pusty, Govt. Advocate.

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 04.03.2018 in connection with Crime No.01 of 2016 registered at Police Station Abhanpur, Distt. Raipur for the offence punishable under Sections 420,466, 467,468,471/34 and 120-B IPC.
2. As per prosecution case, the applicant in connivance with other co-accused persons particularly one of the Patwari Ishwar Chandra Tiwari is said to have tempered the revenue records and have also interpolated the records and transferred certain government lands in the name of private persons. Likewise the area of lands belonging to some private persons is also said to have been enhanced.
3. Learned Counsel for the applicant submits that there are three other accused persons in the said crime and who have already been granted bail by this court in MCRC Nos.2857,4276 and 4749 of 2018 on 25.05.2018,12.07.2018 and 12.07.2018 respectively. The only allegation against the present applicant is to be an associate of Patwari Ishwar Chandra Tiwari. Apart from this, there is no other material collected by the prosecution till date with which the applicant could be implicated. The nature of allegation against the present applicant is much lesser

than the role played by the co-accused and therefore the present applicant may also be granted bail on the ground of parity.

4. The State counsel oppose the bail application on the ground that it is a case where the present applicant was a close associate of the Patwari and that it was the present applicant who used to fill up the requisite register and forms in the computer data for and on behalf of the Patwari and in the process the applicant is said to have manipulated the documents in connivance with the other accused persons.
5. However, the State counsel was not in a position to show any concrete document collected during the course of investigation which would reveal that it was the present applicant who was making all entries in the computer so also in the revenue records. The only evidence which the State counsel is said to have collected now is some oral statement of the witnesses examined in the course of the investigation without any supporting document.
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 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**