

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5470 of 2018

Khem Lal Yadav, S/o. Late Amru Lal Yadav, Aged About 38 Years, R/o. Village Sankra, Thana Balod, District- Balod, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through District- Magistrate, District- Durg, Chhattisgarh.

---- Respondent

For Applicant : Mr. Mateen Siddiqui, Advocate

For Respondent : Mr. Ashutosh Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

23.08.2018

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 has been arrested in connection with Crime No.684/2016 registered at Police Station- Supela, District Durg (C.G) for the offence punishable under Section 417, 418, 420, 467, 468, 471, 120(B) read with Section 34 of I.P.C.
2. As per the prosecution case, a report was made by the complainant Bairagi that he entered into an agreement for purchase of land with one Vishnu Lodhi and paid an amount of Rs.4 Lakhs and thereafter it was revealed that the said Vishnu Lodhi was actually Nehru Lodhi and as an impostor he shown as Vishnu Lodhi to whom the present applicant with others have identified.
3. Learned counsel for the applicant submits that the present applicant is in jail since 17.07.2017 and trial is not yet been concluded. He further submits that the other co-accused namely Gajendra Sahu & Mukund Pal have been enlarged on bail by this

Court in MCRC No.3752 of 2018 & MCRC No.2902 of 2018 respectively; therefore, the present applicant may also be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail and would submit that one bail application of Puranik Lal Sapaha has been dismissed by the co-ordinate Bench on 06.04.2017 in MCRC No.1928 of 2017.
5. Perused the case diary. Considering the facts & circumstances of this case and taking into fact that the applicant is in jail since 17.07.2017 and the trial is not concluded, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge