

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5607 of 2018

- Nand Kishore Sahu S/o Shri Fulchand Sahu, Aged About 40 Years, R/o- Village Dhaneli, Police Station- Mana, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Station- Civil Lines, Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

----Non-applicant

For Applicant – Shri D.K. Gwalre, Advocate.

For Non-applicant/State – Shri Ashish Shukla, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

27-08-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 08-06-2018 in connection with Crime No.397/18 registered at P.S. - Civil Lines, Raipur, Chhattisgarh for the offence under Section 420 of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 08-06-2018. No case is made out against him, according to the material present in the case. Charge sheet has been filed after completion of the investigation. Hence, it is prayed that the applicant may be released on regular bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. The case against the applicant is this, that he is land owner and he had sold plot of land to complainant Ishwari Prasad Dewangan which was mutated in his favour. Later on, he made sale of two plots to C. K. Agrawal on 01-03-2012 and 22-03-2012. The dispute in this case arose when C.K. Agrawal

demolished the pillars that were constructed by the complainant on his piece of land regarding which demarcation proceeding was pending, but, the complainant filed a complaint making allegation that he was cheated by this applicant in collaboration with co-accused Goju Pal.

6. Co-accused Goju Pal has been granted bail by this Court, further, presently the investigation has been completed and charge sheet has been filed in this case, hence, for these reasons, I feel inclined to grant regular bail to this applicant.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. 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 Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge