

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.5613 of 2018**

Suraj Singh aged about 49 years, S/o Than Singh, R/o Kalihamuda, caste-Kanwar, Police Station Deepka, Tahsil-Katghora, District-Korba (CG)

---Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station Deepka, District Korba (CG)

---Non-Applicant

For Applicant	:	Ms Nirupama Bajpai, Advocate
For Non-applicant	:	Mr.Ashish Surana, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

27/8/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.12/2018, registered at Police Station-Deepka, District-Korba (CG), for the offence punishable under Sections 420, 467, 468 and 471/34 of the IPC.

2. Case of the prosecution, in brief, is that the applicant firstly sold the land to Dahraj Singh on 23.4.2007 and thereafter sold the same land to Mahendra Singh on 26.8.2009 and thereby committed the offences.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that the applicant himself made an application for correction of khasra number in sale deed,

he is in jail since 26.6.2018, charge-sheet has been filed and co-accused Prashant Dubey has been released on anticipatory bail in M.Cr.C.(A) No.199 of 2018 on 27.4.2018.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that the applicant is not entitled for bail.

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

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, bonafide act of the applicant that he has made an application for correction of khasra number in sale deed, the fact that co-accused has been released on anticipatory bail, he is in custody since 26.6.2018 and charge-sheet has already been filed, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

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/-

(Sanjay K. Agrawal)
JUDGE

B/-