

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 5788 of 2018**

Arun Kumar Sahu, son of Shri Shiv Kumar Sahu, aged about 35 years,
R/o Ward No.1, Ahiwara, P.S. Nandani, District Durg (CG).

---- Applicant**Versus**

State of Chhattisgarh, through the District Magistrate, Durg, District Durg
(CG).

---- Non-applicant

For Applicant : Mr. Ganesh Burman, Advocate.

For Non-applicant : Mr. Neeraj Kumar Sharma, Dy.G.A.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****26.09.2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no other bail application is pending before any other Court.
2. Perused the case diary provided by the counsel for the State in connection with Crime No.103/2018 registered at Police Station Nandani, District Durg for the offence punishable under Sections 419, 420, 467, 468/34 of Indian Penal Code.
3. Case of the prosecution, in brief is that co-accused Sanjeev Kumar Thakur is the son of Tibhu Ram Thakur. Co-accused Sanjeev Kumar Thakur represented himself before the complainant Rajesh Mundada as Tibhu Ram Thakur and executed an agreement with complainant to sale land. The disputed land is the name of Tibhu Ram Thakur. Co-accused Sanjeev Kumar Thakur has received an amount of Rs.6,00,000/- as advance from the said complainant. The present applicant signed the

aforesaid agreement as a witness.

4. Counsel for the applicant submits that the applicant has not committed any offence. He is innocent and has been falsely implicated in the present case and, therefore, he may be released on bail.
5. On the other hand, counsel for the State opposes the prayer for grant of bail to the applicant. He further submits that one case under Sections 420, 467 & 468/34 of IPC has already been registered against the applicant, therefore, he is not entitled for grant of bail.
6. I have heard counsel for the parties and perused the case diary with utmost circumspection.
7. Looking to this fact that co-accused Sanjeev Kumar Thakur has already released on bail by order of this Court dated 21.08.2018 passed in M.Cr.C. No.5382 of 2018. The case of present applicant is not sever as the case of co-accused Sanjeev Kumar Thakur, looking to the facts and circumstances of the case, the application is allowed. It is ordered that if the applicant furnishes two solvent sureties each for a sum of Rs.25,000/- along with one personal bond of Rs.50,000/- to the satisfaction of the concerned Trial Court with this condition that will not involve himself in any of the crime in future, he be released on bail.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-