

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6277 of 2018

Manohar Prasad Sinha S/o Jawahar Prasad Sinha, aged about 43 years R/o Camp-1 Vrinda Nagar, Bhilai, Police Station Chhavani, District- Durg (C.G.).

--- Applicant

Versus

State of Chhattisgarh, Through- Police Station- Durg (City Kotwali), District- Durg (C.G.).

---- Respondent

For Applicant	:	Mr. P. Chetan Kumar, Advocate
For Respondent	:	Mr. Anil Pandey, Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

28/09/2018

1. The applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 341/2016 registered at Police Station- Durg (City Kotwali), District- Durg (C.G.) for the offence punishable under Sections 420, 467, 468, 201, 471 and 120-B of the IPC.
2. As per prosecution story, the complainant Durga Prasad had lodged a complaint under Section 156 (3) of Cr.P.C. before the Magistrate alleging that one P.N. Mishra had prepared a fake power of Attorney and sold his land ad-measuring 1506 Sq. ft. The allegations against the present applicant is that he was one of the witness to the said faked power of attorney which was signed by co-accused Ajay Sao on the name of complainant- Durga Prasad. The applicant was arrested on 28/09/2017.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. The main accused is P.N. Mishra who has absconded. Other co-accused Govind, Vimlesh and Ajay have already been granted bail by this Hon'ble Court vide order dated 17/05/2018 passed in MCRC No. 959/2018 & MCRC No. 1408/2018. He further submits that the case of the present applicant is similar as of other co-accused persons. He is in custody since 28/09/2017, charge-sheet has been filed and the trial will take time, therefore, he may be released on bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. Considering the entire facts and circumstances of the case, particularly considering that the applicant is in custody since 28/09/2017, charge-sheet has been filed and other co-accused Govind, Vimlesh and Ajay have already been granted bail vide order dated 17/05/2018 passed in MCRC No. 959/2018 & MCRC No. 1408/2018, without further commenting on merit of the case, I am inclined to release the applicant on bail.
6. Accordingly, the bail application is allowed.
7. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety in the like sum to the satisfaction of the trial Court for his appearance before the said Court, as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge