

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 6332 of 2018**

Gajendra Singh Jangde, aged about 39 years, son of Baldou Ram Jangde, R/o Manjhwapara, Jarhabhatha, Rajeev Gandhi Chowk, Bilaspur, Police Station Civil Line, District Bilaspur (CG). **---- Applicant**

Versus

State of Chhattisgarh, through Station House Officer, Police Station Sarkanda, Bilaspur, District Bilaspur (CG). **---- Non-applicant**

For Applicant	: Mr. Devesh Chandra Verma, Advocate.
For Non-applicant	: Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

12.12.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and 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.144/2018 registered at Police Station Sarkanda, Bilaspur, District Bilaspur for the offence punishable under Section 420 of Indian Penal Code.
3. Case of the prosecution, in brief is that complainant Durga Prasad Pandey is a resident of Kusumunda. The applicant is a property broker. He had shown the disputed plots to the said complainant. Thereafter, co-accused Kaali Charan executed the registered sale deed in favour of the said complainant regarding one disputed plot. Another co-accused Dinesh Tandon executed the registered sale deed in favour of the said complainant regarding another disputed plot, who had forged Power of Attorney of Amit Kumar Tiwari. Thereafter, no mutation was happened. For which, the said complainant demanded the consideration amount from the applicant and other co-accused, but they did not return back the consideration amount to him.
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, 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 two criminal cases of similar

nature has already been registered against the applicant.

6. Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence; and the trial is likely to take some more time for its final disposal, this Court is inclined to give benefit of Section 439 of the Cr.P.C. to the applicant. Accordingly, the bail application is allowed.

7. It is directed that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Trial Court with the condition that he shall appear before the Trial Court at 11:00 am as and when directed till trial and he would co-operate during the trial, he shall be released on bail.

8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)

JUDGE

L/-