

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4832 of 2018**

- Shiv Prasad Soni S/o Shri Mahesh Prasad Soni Aged About 52 Years R/o- Village Lingiyadih, Rajeev Vihar P.S. Sarkanda, District- Bilaspur, Chhattisgarh

---- Applicant**Versus**

- State of Chhattisgarh Through- Police Station Sarkanda, District- Bilaspur, Chhattisgarh

---- Respondent**MCRC No. 6479 of 2018**

- Rajesh Samundre S/o Late Bhola Samundre Aged About 28 Years R/o Rajkishore Nagar, Shivam City, Police Station Sarkanda Tahsil And District Bilaspur Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Sarkanda District Bilaspur Chhattisgarh

---- Respondent

For Respective Applicants :	Shri Anand Mohan Tiwari and Shri Dharmesh Shrivastava, Advocate
For Respondent/State :	Shri Sangharsh Pandey, Dy. GA

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****28/09/2018**

1. Since both these bail applications are arising out of the same crime therefore they are being heard and decided together by this common order.

2. This are the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested on 25.05.2018 in connection with Crime No.268 of 2017 registered at Police Station Sarkanda (CG) for the offence punishable under Sections 419, 420, 467, 471, 120-B, 405 & 409 IPC.
3. As per the prosecution case, a complaint was made by one Ravi that he agreed to purchase a land bearing Khasra No.1877 and the agreement was executed on 03.03.2015 and consideration amount of Rs.15 Lakhs was paid parly in cash and parly in cheque, wherein Rajesh, who was acting as an agent/broker of the land put his signature on the agreement thereby both Shiv Prasad and Rajesh Samundre in convenience with each other committed fraud and thereafter sold the land to different persons in between March, 2015 to June, 2015.
4. Learned counsel for the applicant submits that no case of criminality can be made out against the applicants and it is out and out civil transaction. They further submit that nature of the entire case is civil in nature and no further investigation would be necessary and the the charge-sheet in this case has been filed, therefore, the applicants may be released on bail.
5. Per contra, learned State counsel vehemently opposes the prayer for grant of bail.
6. Perused the documents and the case-diary. All the documents and the evidence appear to be documentary in nature. Considering the same and the facts and circumstances of the case and further taking into that the charge-sheet in this case has been filed and no further investiation would be necessary, I am inclined to release the applicant on bail.
7. Accordingly, bot the bail applications are allowed and the applicants are

directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri
Judge

Ashu