

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.6722 of 2018**

Kripal Singh, aged about 60 years, S/o late Sarodhan Singh, Caste Pobiya, R/o Sarbahra (Station Tola), P.S. Gaurella, Tahsil Pendra Road, District Bilaspur (CG).
---- Applicant

Versus

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

For Applicant : Mr. Hemant Gupta, Advocate.

For Non-applicant : Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****03.12.2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.152/2018 registered in Police Station Gaurella, Revenue & Civil Bilaspur for the offence punishable under Sections 420, 467, 468, 4/1, 34 of Indian Penal Code.
3. Prosecution story in brief is that the land bearing Khasra No.118/3 ad-measuring 0.33 acre in village-Saarbahara was recorded in the name of Sarodhan Singh. Sarodhan Singh has passed away. His son, the present applicant executed the sale deed in favour of Smt. Sunita Chourasiya. The applicant projected Veeran Singh as Sarodhan Singh. The broker Tulichand Chakradhari, applicant, Kotwar Durgesh made assistance in the said transaction and consideration was of Rs.1,30,000/-.
4. Counsel for the applicant submitted that the applicant is innocent and has been falsely implicated in the present case hence he may be released on bail.
5. Counsel for the State opposed the prayer for grant of bail to the applicant however submitted that there is no criminal antecedent reported against the applicant.
6. Looking to these facts and circumstances of the case, looking to the amount of consideration, 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 benefits of

Section 439 of the CrPC to the applicant. Accordingly, the bail application is allowed.

7. It is directed that if the applicant furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond in the sum of Rs.50,000/- 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 and he shall not commit such type of offence in future.

8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-