

HIGH COURT OF CHHATTISGARH, BILASPUR

Order reserved on 22.11.2017

Order delivered on 05 .01.2018

MCRC No. 4136 of 2017

- Vedprakash Gupta @ Gudda S/o Rajendra Prasad Gupta, Aged About 46 Years R/o Polsai Para, Durg, Tahsil & District Durg, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate, Durg, District Durg, Chhattisgarh.

---- Respondent

For Applicant
For Respondent/State

Shri Jitendra Gupta, Advocate.
Shri Adhiraj Surana and Shri
Sangharsh Pandey, Dy. G.A.

Hon'ble Shri Justice Prashant Kumar Mishra

C A V Order

1. Albeit M.Cr.C. Nos.3957, 3959 and 4136 of 2017 were heard analogously on 22.11.2017, however looking to the different nature of crime, facts, etc. these bail applications are being dealt with separately by passing individual orders.
2. The applicant has preferred this bail application under Section 439 Cr.P.C, as he has been arrested in connection with Crime No. 633 of 2012, registered at Police Station Durg, District Durg, (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 120-B of the Indian Penal Code.

3. In the present case the applicant has allegedly produced one Smt Vimla Bai Dewangan in place of real owner of the property namely; Smt Urkha Bai and sold the land bearing Khasra Nos.383 & 398 area 0.32 hectares & 0.20 hectares situated at Village Sukhri, Tahsil Gunderdehi, Durg.
4. Learned counsel appearing for the State would oppose the bail application.
5. Considering the facts and circumstances of the case, particularly considering the fact that the co-accused Smt Vimla Bai Dewangan has already been released on bail by order 25.10.2017 passed in M.Cr.C. No. 4211 of 2017; further considering the fact that the offences are triable by the Judicial Magistrate First Class and for the fact that the applicant is in detention since 31.12.2016 i.e. for a period of more than one year, therefore, looking to the pre-trial detention period of the applicant, this Court is inclined to release the applicant on bail. Accordingly, the application is allowed and the applicant is directed to be released on bail on executing a personal bond for a sum of Rs. 25,000/- with one surety each for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Judge

Prashant Kumar Mishra

Gowri

