

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6887 of 2018**

1. Ashwani Dadsena S/o Gambhir Ram Dadsena Aged About 51 Years R/o Amarpuri Chowk Sundar Nagar Raipur District Raipur Chhattisgarh

---- Applicant**Versus**

1. State Of Chhattisgarh Through Collector Durg District Durg Chhattisgarh

---- Respondent

For Applicant

Shri Shikhar Bakhtiyar, Advocate

For Respondent/State

Shri Sameer Behar, Panel Lawyer

Order On Board**By****Prashant Kumar Mishra, J.****31/10/2018**

1. 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.
2. In the present case the accused persons 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. As against the

applicant, there is allegation that the amount of consideration payable to Smt. Urkha Bai was retained by him along with co-accused Tarun & Gurjeet Singh.

3. Learned counsel appearing for the State would oppose the bail application.
4. 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 charge sheet has already been filed and particularly considering the fact that the applicant is in detention since 16-1-2017 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