

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6968 of 2018

- Siraj Ahmad @ Sajid @ Toda @ Bablu, S/o Niyaz Ahmad, aged about 40 years, R/o Jyoti Nagar, Hanuman Mandir Gali, Kota, P.S.- Saraswati Nagar, Raipur- District- Raipur, (C.G.).

---- Applicant

Versus

- State of Chhattisgarh Through- Station House Officer, P.S.- Civil Line, Raipur, Civil and Revenue District- Raipur, (C.G.).

---- Respondent

For Applicant : Shri Pushpendra Kumar Patel, Advocate.
For Respondent/State : Shri U.K.S. Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

25/10/2018

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 312/2018, registered at Police Station – Civil Line Raipur, District- Raipur, (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 120-B & 201 of IPC.
2. As per the prosecution story, on 02.05.2018, Complainant Rubina lodged a report against the Applicant wherein it was alleged that the present Applicant is a property broker and he has prepared a forged voter card in the name of his mother namely Bilkis Bano, showing her as the owner of the land. But the actual owner of the land is Leelabai. He also executed power of attorney in the name of land owner Leelabai and embezzled amount of Rs. 14,51,000/- from the Complainant. On the basis of the said report, offence has been registered against the Applicant and her mother namely Bilkis Bano. The Applicant have been taken into custody since 02.05.2018.

3. Learned counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further states that the Applicant has not received any amount from the Complainant and has no previous antecedent. He is in custody since 02.05.2018 and trial will take some time. Therefore, he may be released on bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application. He further submits that the co-accused Bilkis Bano, who is the mother of the Applicant is still absconded.
5. I have heard learned Counsel for the parties.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution, without further commenting on merits of the case, I am not inclined to release him on bail.
7. Accordingly, the bail application is rejected.

Sd/-
(Arvind Singh Chandel)
Judge