

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.7037 of 2018**

Madhavram son of Mukundram Yadav, aged about 55 years, Clerk Grade-2, Tahsil Court, Chirmiri, resident of Prema Bag, Baikunthpur, District Korla (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Baikunthpur, District Korla (CG).

---- Non-applicant

For Applicant : Mr. J.K. Saxena, Advocate.

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

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****26.10.2018**

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.72/2018 registered in Police Station Baikunthpur, District Korla for the offence punishable under Sections 419, 420, 467, 468, 471, 120-B of Indian Penal Code (wrongly mentioned as 341, 294, 506, 323, 326 of IPC).
3. Prosecution story in brief is that a sale deed was executed by Power of Attorney holder namely co-accused Birendra Chand in favour of co-accused Madhuri Singh on behalf of landlord Smt. Dilkunmar. Co-accused Ramnarayan Jaiswal had retired from his service as Patwari prepared forged copy of Form B-1. The present applicant, who was a reader of the Additional Collector, Koriya prepared forged order of permission regarding sale of government land.
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 submitted that one criminal case under of IPC has already been registered against the applicant.
6. Co-accused persons Smt. Madhuri Singh, Ramnarayan Jaiswal and Birendra Chand have already granted anticipatory bail by co-ordinate Bench of this Court dated 20.07.2018.
7. I have heard counsel for the parties and perused the case diary with utmost circumspection.
8. Looking to these facts and circumstances of the case, 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.
9. Accordingly, the present bail application filed under Section 439 of the CrPC is allowed.
10. It is directed that if the applicant furnishes two solvent sureties for a sum of Rs.25,000/- 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.
11. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-