

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 7396 of 2017**

Hardeep Gada, S/o. Lalman Gada, Aged About 48 Years, R/o. Telibandha, Moulipara, Near Suresh Kirana Store, Raipur, Post Office – Raipur, Police Station – Telibandha, Raipur, District -Raipur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer, Police Station- Arang, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Shivendu Pandya, Advocate
For Respondent/State	: Mr. Vijay Bahadur Singh, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****16/01/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.218/2017, registered at Police Station – Arang, District – Raipur (C.G.) for the offence punishable under Section 420, 467, 468 & 471, 419/34 & 120(B) of Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. No case is made out against the applicant on the basis of the material available on record of the prosecution case. Applicant is in jail since 16.05.2017 and he is

local resident of District – Raipur and ready to abide all the conditions imposed for grant of bail, hence, it is prayed that the applicant be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that there is direct allegation against the applicant that he impersonated the complainant Jhanav Avade, while he was negotiating to sale out the land of the complainant in the Tahsil Office, Arang, District – Raipur, hence he appears to be the main offender therefore, he is not entitled to be released on bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. A fake Rin-pustika was prepared in the name of the complainant Jhanav Avade and the photo that was affixed was of this applicant and the same was being used for negotiating to sale out the land belonging to the complainant.
6. Considered the submissions made and the contents of the case diary. It appears that availability of the applicant for the purposes of trial shall not be compromised, if he is released on bail and that the trial against him is likely to take some time for its completion and also the co-accused has been enlarged on bail. Taking into consideration all the facts and circumstances of the case, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram