

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7797 of 2018

- Amit Singh S/o Amrendra Singh Aged About 30 Years R/o Barlakala, Tahsil Berla, District Bemetara, Chhattisgarh, District : Bemetara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Amanaka, Raipur, District Raipur, Chhattisgarh, District : Raipur, Chhattisgarh

---- Non-applicant

For Applicant : Mr. V.R. Tiwari, Advocate.

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

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

27.11.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 238/2018 registered at Police Station – Amanaka, Raipur, District Raipur, (C.G.) for the offence punishable under Sections 420, 506 of the Indian Penal Code.
3. The offence is triable by JMFC.
4. Case of the prosecution, in brief is that applicant executed the agreement for sale for the disputed land in favour of the complainant Govind Singh. He received Rs. 6,40,000/- as advance. The disputed land is recorded in the name of Satnam Singh. Thereafter, applicant did not execute registered sale deed in favour of the said complainant.
5. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
6. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no antecedent against the applicant.
7. As per the photocopy of the agreement it has been mentioned that one Satnam Singh had purchased the disputed land from the Housing Board, Raipur. Thereafter he executed agreement for sale of the disputed land in favour of Balwant Singh. Balwant Singh executed agreement for sale in favour of applicant. It has also been mentioned that said agreement that if dispute arises then applicant would be liable for repayment.
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, It is directed that if the applicant furnishes one solvent surety for a sum of Rs.50,000/- along with a personal bond in the like sum to the satisfaction of the concerned Trial Court with the condition that he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
9. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE