

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7879 of 2017

- Chetan Rangari, aged about 35 years, S/o Rupchand Rangari, Occupation-Labourer, R/o Village-Padguda, Police Station-Dongergaon, Tahsil- Churiya, District Rajnandgaon, (Chhattisgarh).

---- Applicant

Versus

- State Of Chhattisgarh Through: The Station House Officer, Police Station Dongargaon, Distt.- Rajnandgaon, (Chhattisgarh).

---- Respondent

For Applicant :Mr. Shashi Bhusan Tiwari, Advocate.

For Respondent/State :Mr. Anupam Dubey, Dy. Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

01/03/2018

1. Heard.
2. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who have been arrested in connection with Crime No. 328/2016 registered at Police Station- Dongargaon, District – Rajnandgaon (Chhattisgarh) for the offence punishable under Section 420, 34 of the Indian Penal Code.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case as he has not committed any offence. The case against the present applicant is that he sold the government land bearing Khasra No.504/1 situated at village Padguda to one co-accused Hemant Kumar by executing an agreement in his favour. He submits that the applicant had no knowledge that the said land was Government land

and had no intention to cheat the complainant. Applicant is ready to return the money on asking by the co-accused- Hemant Kumar Kaushal. But third person Kishan Lal having no connection in this transaction has made a complaint. It is submitted that the applicant is in jail since 19.02.2017, which is almost one year. He is ready to abide by all the conditions and directions, which may be imposed while granting bail to him. Hence, it is prayed that applicant be enlarged on regular bail.

4. Learned State counsel opposes the bail application.
5. Heard both the parties and perused the case diary.
6. A complaint was made by Kishanlal before Collector- Rajnandgaon that a illegal transaction is taken place between the applicant and co-accused person for a land bearing khashara No. 504/1 for a price of Rs. 65, 000/- due to which loss has been caused to the Government. After the enquiry, on that complaint, FIR has been registered against the applicant and the co-accused person i.e. the purchaser in the agreement.
7. Considered the nature of the case and evidence present in the case diary as the charge sheet has already been filed and that there is no substantial progress in the trial, hence, I am of this opinion that applicant should be benefited with grant of regular bail.
8. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge