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HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 8489 of 2018**

Mahendra Kumar Bhotra @ Mahendra Gada, S/o. Shri Ewanlal Bhotra, Aged About 40 Years, R/o. Village- Parsapali, Mahasamund, Tahsil and P.S.- Khallari, Civil and Revenue District Mahasamund, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- P.S. Khallari, Civil and Revenue District and District- Mahasamund, Chhattisgarh.

---- Respondent

For Applicant	: Mr. J.A. Lohani, Advocate
For Respondent/State	: Mrs. Madhunisha Singh, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**06/12/2018**

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.60/2018, registered at Police Station – Khallari, District – Mahasamund (C.G.) for the offence punishable under Section 420, 467, 468, 471, 120(b)/34 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 07.09.2018. No case is made out against the applicant according to the material present in the case diary. Similarly placed co-

accused persons namely Abdul Rahim Qureshi @ Guddu and Amit Sharma have been enlarged on bail by this Court. Therefore, it is prayed that the applicant may also be benefited with grant of regular bail.

3. On the other hand, learned counsel for the State opposes the bail applications and the submissions made in this respect. It is submitted that the applicant is the main accused in this case, therefore he may not be released on bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. The case against the applicant is this that that the applicant along with other co-accused persons by inducement made the complainant Than Singh enter into an agreement with this applicant for purchasing of a land and in that agreement, the applicant has received Rs.40,000/- as an advance money. Later on it was disclosed to the complainant that the land regarding which the agreement was made was government land. Hence, this case.
6. Considered the submissions made and the contents of the case diary. Considering on the entire material present in the case diary, the investigation is now completed and charge-sheet has been filed before the concerned Court, therefore, there is no need to continue detention of the applicant in jail and for the reason that the co-accused persons have been enlarged on bail, 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