

NAFRHIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 8684 of 2018

- Yogesh Chauhan S/o Shri Jairam Chauhan Aged About 31 Years R/o A-84 Radhaswami Nagar Bhathagaon Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Mujgahan ,district Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Non-applicant

For Applicant	: Mr. Mayank Chandrakar, Advocate.
For Non-applicant	: Mr. S. Jhanwar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

29.11.2018

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. 0031/2018 registered at Police Station – Mujgahan ,District Raipur (C.G.) for the offence punishable under Section 420, 467, 468, 471 / 34 of the Indian Penal Code.
3. Case of the prosecution, in brief is that Applicant and coaccused Raj Kashyap had executed agreement for sale on 08.02.2013 in favour of complainant Subhash Kashyap regarding the disputed land and obtained Rs. 11 Lakh 25 thousand but they did not execute registered sale deed in favour of the said complainant.
4. 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.
5. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no antecedent against the applicant.
6. As per the true copy of the affidavit of the complainant which is part of the bail petition the matter has been compromised and he does not want to proceed against the applicant and said coaccused.
7. 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.25,000/- 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.
8. Certified copy as per rules.

Sd/-
 (Sharad Kumar Gupta)
JUDGE