

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9005 of 2018

- Biharilal Yadav S/o Nanki Ram Yadav Aged About 40 Years
Occupation- Farmer, R/o Village- Gopalpur, Koriyadadar, Police
Station- Chakradharnagar, Tahsil- Raigarh, District- Raigarh,
Chhattisgarh., District : Raigarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer,
Chakradharnagar, District- Raigarh, Chhattisgarh., District : Raigarh,
Chhattisgarh

---- Respondent

For Applicant	:	Mr. Amit Sharma, Advocate.
For Respondent	:	Mr. N.K. Mehta, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

12/12/2018

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.181/2018 registered at Police Station– SHO, Chadradharnagar, District– Raigarh(C.G.) for the offence punishable under Sections 420, 120-B of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. He is in jail since 19.08.2018. No case is made out against him. Charge-sheet has been filed after completion of investigation and the trial against him is

likely to take some time. Hence, it is prayed that this applicant may be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that according to the evidence present in the case diary, no case is made out for grant of regular bail.
4. Heard both the parties and perused the case diary.
5. It is alleged that this applicant and the other joint owners of the land were granted compensation for the land acquisition. The appellant in a fraudulent manner prepared a consent letter of the joint owners and has received the cheque of compensation solely, hence, the FIR has been lodged against him.
6. Considered on the entire material present in the case diary, as it is informed that the cheque was issued jointly of all the land owners whose land were acquired and also for the reason that the investigation is now complete and the applicant has to face trial, for which, I find no reason to keep the applicant continuously in detention.
7. 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 trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)

Judge