

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 25 of 2019**

- Suresh Kumar S/o Buddhan Singh Aged About 48 Years Occupation Patwari R/o Kailash Nagar Ward No. 2 ,kawardha Tahsil And District Kabirdham CG

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate Kabirdham /station House Officer, Police Station Kawardha District Kabirdham CG

---- Respondent

MCRC No. 282 of 2019

- Gyan Prakash Baghel S/o Basant Baghel Aged About 30 Years R/o Minimata Chowk, Ward No. 17, Kawardha, Police Station And Tahsil- Kawardha, District- Kabirdham, CG

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Kawardha, District- Kabirdham, Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- Respondent

For applicants	Mr. Dharmesh Shrivastava, Adv.
For non-applicant/State	Mr. Vikram Dixit, Govt. Adv.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****8-2-2019**

1. As both the above bail applications arise out of same crime number of same police station, they are being disposed of by this common order.
2. These are first bail applications under Section 439 of the Cr.P.C. preferred by the applicants before this Court and their no bail application is pending before any other court.
3. The applicants have been arrested in connection with Crime No. 274/2018 registered in police station Kawardaha, Distt. Kabirdham (CG) for offence punishable under Section 420, 34 of the IPC.
4. Prosecution story in brief is that applicant Gyan Prakash Baghel had shown piece of land bearing Khasra No. 59/13 and 60/13 situate at village Ghotia to complainant for sell. The land was measured by applicant Suresh Kumar who is Patwari. Thereafter applicant Gyan Prakash Baghel executed registered sale deed in favour of complainant Smt. Soniya Bai on 23-6-2017 for a consideration of Rs.

6,75,000/- which was received by applicant Gyan Prakash Baghel. After registry, the complainant went to applicant Suresh Kumar for certification. He told her that Khasra Panchshal and other revenue records enclosed with the sale deed do not contain his signatures. It was also found that in place of piece of land of Khasra No. 59/13 and 60/13 some other land was shown to the complainant.

5. Counsel for the applicants argued that the applicants are innocent and have been falsely implicated hence they be released on bail.
6. On the other hand, the State Counsel opposed the bail applications. He further submits that no criminal antecedent has been reported against applicants in the police case diary.
7. Looking to the above facts and circumstances of the case, and as trial will taken its own time, the applications are allowed. It is ordered that if each of the applicants furnishes two solvent sureties each for a sum of Rs. 50,000/- along with one personal bond of Rs. 1,00,000/- to the satisfaction of the trial Court concerned with the condition that they will not involve themselves in similar type of offence in future, they be released on bail.
8. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge