

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 775 of 2019**

Jhaduram Sahu, S/o Tulai Sahu, aged about 70 years, R/o Occupation Agriculturist, R/o Village Barduli, Police Station Pipariya, Tahsil Kawardha, District Kabirdham (Chhattisgarh).
---- Applicant

Versus

State of Chhattisgarh, through Police Station Pipariya, District Kabirdham (CG).
---- Non-applicant

For Applicant	: Mr. Rajat Agrawal, Advocate.
For Non-applicant	: Mr. Vikram Dixit, Govt. Adv. & Ms. M. Asha, Panel Lawyer
For Objector	: Mr. Rajkumar Pali, Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

06.03.2019

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 counsel for the State in connection with Crime No.03/2019 registered at Police Station Pipariya, District Kabirdham for the offence punishable under Section 420 of Indian Penal Code.
3. Case of the prosecution, in brief is that earlier disputed land was in the name of Barkhu, Tularam, Tikaram, Sarju, Prabhu in the year 1974-1975. The disputed land was acquired by the Government and paid Rs.2460.90 as land compensation. On 28.02.2015, the applicant sold the disputed land by registered sale deed to the complainant Nathmal Jain. Later on, the applicant show the disputed land to the complainant which was already acquired by the Government. On 05.01.2019, the said complainant lodged FIR against the applicant.
4. Counsel for the applicant submits that the applicant has not committed any offence. He is innocent and has been falsely implicated in the present case, therefore, he may be released on bail.
5. On the other hand, counsel for the State opposes the bail application. However, he submits that no criminal antecedent is reported against the applicant in police case diary.
6. Looking to the above facts and circumstances of the case and looking to the material available on record, the bail application is allowed. It is ordered that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned, he be released on bail.
7. Certified copy as per rules.

Sd/-
 (Sharad Kumar Gupta)
JUDGE

L/-