

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1672 of 2019

- Dashrath Sahu S/o Shri Bhagau Ram Sahu Aged About 32 Years R/o Surya Chowk Chingrajpara, Police Station Sarkanda District Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Sarkanda District Bilaspur Chhattisgarh

---- Respondent

For Applicant	: Mr. Rohit Sharma, Advocate.
For Respondent/State	: Mr. KK Dewangan, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

28/03/2019

1. The applicant has preferred this third bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime no. 524/2017, registered at Police Station Sarkanda, District Bilaspur (C.G.) for the offence punishable under Section 420, 467, 468, 471 & 120 B-34 of the IPC.
2. First bail was dismissed for want of prosecution vide order dated 31.10.2018 passed in MCRC No. 7345/2018.
3. Second bail was dismissed for want of prosecution vide order dated 14.02.2019 passed in MCRC No. 607/2019.
4. As per prosecution story, it is alleged that the applicant along with other co-accused persons prepare forged power of attorney by the name of one Ms. Pratibha Mishra who is the land owner and on the basis of said forged power of attorney the land was sold to co-accused Ms. Santoshi Kashyap and again the same land was transferred to one Power Tech Company for consideration amount of Rs. 38,88,000.

On the basis of above, offence has been registered. The applicant is in custody since 18.06.2018.

5. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that in this case the main accused is Satish Singh who already granted bail by the Trial Court itself. On the same facts of evidence, other co-accused persons namely Amarnath Dhiwar and Santoshi Kashyap have granted benefit of bail by this Court vide orders dated 07.08.2018 & 31.07.2018 passed in MCRC Nos. 4980/2018 & 4852/2018. The applicant is in custody since 18.06.2018, charge-sheet has been filed and trial is likely to take some time. Therefore, the applicant may be released on bail.
6. Per contra, learned counsel appearing on behalf of State opposes the bail application.
7. I have heard learned Counsel for both the parties.
8. Considering the facts and circumstances of the case and evidence collected by the prosecution, further considering the fact that on the same facts of evidence, other co-accused persons have already granted benefit of bail, the applicant is in custody since 18-06-2018, charge-sheet has already been filed and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
9. Accordingly, the bail application is allowed.
10. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 25,000/- with one local solvent surety for the like sum to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge