

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1894 of 2019

- Arvind Pal S/o Batohi Pal, Aged About 24 Years R/o Dipopara, Bijapur, Police Station - Bijapur, District Bijapur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station - Bijapur, District Bijapur, Chhattisgarh.

---- Respondent

For Applicant : Shri Goutam Khetrapal, Advocate.
For Respondent/State : Shri Devendra Pratap Singh, Dy. A.G.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

03/04/2019

1. The Applicant has preferred this second bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 03/2019, registered at Police Station – Bijapur, District – Bijapur, Chhattisgarh, for the offence punishable under Sections 420, 467, 468, 471 of IPC.
2. First bail application was earlier dismissed as withdrawn with liberty to file afresh after filing of the charge-sheet vide order dated 07.03.2019 passed in MCRC No. 948/2019.
3. As per the prosecution story, allegations against the present Applicant is that he prepared a forged and fabricated no objection certificate of Tahsildar towards diversion of land of Smt. Krishna Vini and Smt. Madhubala Sharma and submitted the same before the office of SDM. Report was made by SDM and on the basis of the said, offence has been registered. Applicant has been taken into custody on 04.01.2019.

4. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. It is further submitted that there is no any evidence available on record on the basis of which *prima facie*, any offence can be made out against the Applicant. He also submits that charge-sheet has been filed, Applicant is in custody since 04.01.2019 and trial is likely to take some time. Therefore, he may be released on bail.
5. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned Counsel for the parties and perused the case diary.
7. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that charge-sheet has been filed, Applicant is in custody since 04.01.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
8. Accordingly, the bail application is allowed.
9. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge