

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2324 of 2019**

1. Mohar Sai Suryawanshi, S/o Ramdayal, aged about 61 Years,
2. Premlal Suryawanshi, S/o Moharsai, aged about 38 Years,

Both are Caste - Suryawanshi, R/o Village Parsapali, Chotiya, P.S.- Saragaon, District- Janjgir-Champa, Chhattisgarh.

---- Applicants**Versus**

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

---- Non-Applicant

For Applicants	: Shri Shubham Tripathi, Advocate.
For State/Respondent	: Shri I. Lakra, Deputy Government Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****16/04/2019**

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 applicants, who have been arrested in connection with Crime No.222/2018, registered at Police Station – Champa, District Janjgir-Champa (C.G.), for the offence punishable under Section 420, 467, 468, 471 & 34 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicants that the applicants have been falsely implicated in this case. The applicants are in jail since 07.12.2018. They are not at all involved in the offence that

is alleged to have been committed. Therefore, it is prayed that the applicants may be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the evidence proposed against the applicants in the present case, these applicants had no knowledge of the purpose for which the signature were obtained on the affidavit which they affixed only on asking by the Advocate. Therefore, it is a case of bonafide mistake committed by them. Further development that has taken place is this that the complainant/Ganesh Ram Sahu has compromised with these applicants and he filed an affidavit before the Court below making the statement that he has no objection.
6. After due consideration, I feel inclined to allow this application. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that applicants shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge