

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3368 of 2019

1. Likhanlal Sahu S/o Late Shri Panchuram Sahu Aged About 60 Years
Occupation - Teacher, R/o Village Sankri, Police Station Gunderdehi,
District Balod, Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh Through District Magistrate Balod, District
Balod, Chhattisgarh.
2. Khemin Bai D/o Late Shri Panchuram Sahu Aged About 49 Years R/o
Village Dalli Rajhara, Tehsil Dondi, District Balod, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. R.S. Marhas, Advocate
For Respondent	:	Ms. S. Mishra, Dy. Govt. Adv.

Hon'ble Smt. Justice Rajani Dubey

Order On Board

24/5/2019

1. This is first application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to applicant, who is in custody since 30.4.2019 in connection with Complaint Case No.148/19 pending in the Court of Judicial Magistrate 1st Class, Gunderdehi, District Balod for the offence punishable under Sections 467, 471 & 193 of the Indian Penal Code.
2. As per the prosecution case, the applicant along with other co-accused by forging thumb impressions of his sisters namely Suruj Bai, Shanta Bai and Khemin Bai, created a forged letter of consent purportedly relinquishing their share in ancestral property and based on said consent letter, he got deleted names of his sister from the revenue records.
3. Learned counsel for the applicant submits that the applicant is

innocent and has been falsely implicated by complainant in crime in question. He further submits that the applicant never appeared in mutation proceedings instituted by co-accused persons before the revenue authority concerned. He is a government servant and working as Teacher in Government Middle School, Knevati, Tahsil Bhanupratappur, District Kanker. He has no criminal past and is ready and willing to abide by all the conditions which may be imposed by this Court while granting bail. Hence, it is prayed that applicant may be enlarged on regular bail.

4. On the other hand, learned State Counsel opposes the prayer for grant of bail.
5. Considering the facts and circumstances of case, nature of allegation levelled against the applicant, the fact that he is in custody since 30.4.2019 and has no criminal antecedents, but without commenting anything on merits, I am inclined to release the applicant on regular bail.
6. Accordingly, the application is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with one surety in the like sum to the satisfaction of the trial Court concerned. He is directed to appear before the trial Court concerned on each and every date given by the said Court.
7. Certified copy as per rules.

Sd/-
(Rajani Dubey)
Vacation Judge

roshan/-