

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.3394 of 2019

Kundan Lal Sharma, S/o Shri Bhuwan Lal Sharma, aged about 43 years,
R/o Five Building Government Awas, Durg, Tahsil & District Durg (C.G.)

---- Applicant
(In Jail)

Versus

State of Chhattisgarh, Through Station House Officer, Police Station
Dhamdha, District Durg (C.G.)

---- Non-applicant

For Applicant:	Mr. T.K. Tiwari, Advocate.
For Non-applicant:	Mr. Alok Nigam, Govt. Advocate.

Hon'ble Smt. Justice Rajani Dubey

Order On Board

24/05/2019

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.4/2019, registered at Police Station Dhamdha, District Durg, for the offence punishable under Sections 420, 467, 468 and 471 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that the applicant had participated in preparation of patta in the names of persons who are not residents of Village Sirna Bhatha and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated, in fact, the process of distribution of lease relating to Abadi Area at Village Sirna Bhatha was processed by the concerned Patwari prior to joining of the applicant on the post of Revenue Inspector at Dhamdha. The applicant is in jail since 4-5-2019.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, pretrial detention of the applicant and considering the letter dated 16-5-2019 of the Tahsildar, Dhamdha, District Durg, I am of the view that it is a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.
8. Consequently, the application for urgent hearing and the application for hearing the case during summer vacation stand disposed of.

Sd/-
(Rajani Dubey)
Vacation Judge