

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 4298 of 2019

- Kapil Giri S/o Waman Giri Aged About 48 Years Occupation - Agriculturist, R/o Village Kepi, Police Station - Dhourpur, Tahsil Lundra / Dhourpur, District - Surguja, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station-Ambikpur District - Surguja Chhattisgarh

---- Non-applicant

For Applicant : Mr. Amarnath Pandey, Advocate.

For Non-applicant/State : Mr. Adil Minhaj, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

26-08-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 01.05.2019 in connection with Crime No.45/2019, registered at Police Station– Ambikapur, District- Surguja, Chhattisgarh for offence punishable under Sections 420, 467, 468 and 471 of Indian Penal Code.
2. It is submitted by learned counsel for the applicant that the applicant was in possession of Rin-Pustika that was issued by the Revenue Officer, therefore, it is not a forged one. The applicant was granted Bhumi Swami Patta by the State Government, therefore, he has entitlement for the property on the basis of which he stood surety for the accused in that case before the Court concerned. Therefore, the applicant has not committed any offence. Charge-sheet has been filed in

this case. Hence, it is prayed that the applicant may be granted bail.

3. Learned counsel for the State/non-applicant opposes the application and submits that for standing surety for the accused persons, this applicant produced a Rin-Pustika which was totally forged which has been found so on verification by the Revenue Department. Therefore, the application may be rejected.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, the applicant before the Court of C.J.M. Ambikapur stand as surety for the accused persons. He produced a Rin-Pustika on the basis of which his surety was verified. Therefore, the Rin-Pustika was sent for verification. The Revenue Officer has reported that the Rin-Pustika filed is forged. Hence, this case.
6. Considering that now the case is pending for trial and no purpose will be served with the detention of the applicant for investigation and further also for the reason that he has no criminal antecedents, I feel inclined to allow this application.
7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall 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. Certified copy as per rules.

Monika

Sd/-
(Rajendra Chandra Singh Samant)
Judge