

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 3761 of 2019**

- Ishwari Yadav S/ Olate Shri Latel Ram Yadav Aged About 61 Years R/o Kasaridih, Ward No. 44, Durg, Tahsil And District- Durg, Chhattisgarh

---- Applicant

**Versus**

- State Of Chhattisgarh Through District- Magistrate, Durg, District- Durg, Chhattisgarh

--- Non Applicant

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For the Applicant : Shri T.K. Jha, Advocate

For Non Applicant : Shri Vikram Dixit, Govt. Advocate

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**Hon'ble Shri Justice Sharad Kumar Gupta**

**Order On Board****21.06.2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with Crime No.212/2019 registered at Police Station- Durg, District- Durg (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 34 of Indian Penal Code.
3. Case of the prosecution, in brief is that one namely Sukwaro Bai was died on 19.10.2004. applicant who is the land broker, produced her daughter which name was also Sukwaro Bai and a forged power of attorney was prepared in the name of Goverdhan. Applicant and Goverdhan sold the land to some other persons.
4. Learned counsel for the applicant submits that applicant has no criminal background, he is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no criminal antecedent against the applicant in police case diary.
6. As per the true copy of the judgment and decree dated 31.08.2015 passed in Civil Suit No.14A/14 by Second Additional Civil Judge Class-I, Durg, applicant was declared title holder and possession holder of land bearing Rakba 0.176 Hectare to Khasra No.340/10 situated at village Borsi.
7. Looking to the above mentioned facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is directed that if applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond of Rs.25,000/- to the satisfaction of the concerned trial Court with the condition that he will appear before the trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
8. Certified copy as per rules.

Sd/-

**(Sharad Kumar Gupta)**  
Judge

Parul