

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4590 of 2019**

Dikant Gilhare, S/o Late Tejvant Gilhare, Aged About 39 Years, R/o Thanaud, Police Station Pulgaon, District Durg, At Present Rishabh Green City, Durg, District : Durg, Chhattisgarh

---- Applicant**Versus**

State Of Chhattisgarh, Through The District Magistrate, Durg, District : Durg, Chhattisgarh

---- Respondent

For Applicant.	:	Ms. Madhulika Jha, Advocate.
For Respondent/State	:	Shri Anil Tripathi, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****07/08/2019**

1. The applicant has filed this *First bail application* under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.813/2017 registered at Police Station : Durg, District - Durg (C.G.) for the offence punishable under Sections 420, 465, 468, 471 and 201 of the IPC.
2. The prosecution story in brief is that the applicant and other co-accused entered into an agreement for sale with the complainant Lalit Tapadia and received Rs. 3 lacs in advance for the said sale. Later on, it was discovered that the land in agreement was already sold by the applicant and other co-accused to Anjana Choudhari. Hence, the FIR has been lodged.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He further submitted that the applicant is in custody since 04.06.2019 charge-sheet has been filed, and trial will likely to take some time, therefore, he may be released on bail.
4. On the other hand, State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case and further considering the fact applicant is in custody since 04.06.2019, and the other co-accused Ajay Kurre has already been granted bail by this Court in MCRCA No.11 of 2018, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 25,000/- with one surety for the like amount to the satisfaction of the Trial Court for his appearance before the Trial Court as and when directed.

Sd/-
(Rajani Dubey)
Judge