

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 4650 of 2019

Bir Singh S/o Shri Muni Aged About 51 Years R/o Village Dipka,
Police Station Dipka, Tahsil Katghora, District Korba
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police
Station Dipka, District Korba Chhattisgarh.

---- Respondent

For Applicant : Mr. Nitesh Shrivastava, Advocate.

For Respondent : Mr. Jitendra Shukla, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

26/08/2019

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.118/2019 registered at Police Station– Dipka, District–Korba, (C.G.) for the offence punishable under Section 420 of Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that applicant is the real 'Bir Singh S/o. Shri Muni' which he shall prove before the Trial Court. Case has been investigated and charge sheet has been filed. The applicant is in jail since 16.06.2019. Therefore, it is prayed that he may be granted regular bail.
3. On the other hand, learned counsel for the State opposes the bail application and submits that there is ample evidence present in the case diary to show that the applicant's real name is 'Samay Lal' and he has impersonated as 'Bir Singh S/o. Shri Muni' to

obtain placement in SECL, Korba and cheat real Bir Singh of his entitlement. Therefore, he is not entitled for grant of regular bail.

4. Heard learned counsel for the parties and perused the case diary.
5. Complainant Bir Singh has lodged the FIR claiming that he is the real Bir Singh S/o. Shri Muni, who has been displaced in acquisition proceedings. However, this applicant by impersonating him and making use of forged documents, has obtained job in SECL, Korba in his place, and serving continuously for the last about 28 years. Hence, this case.
6. Considering the facts and circumstances of this case that now case been completely investigated and pending for trial, no purpose would be served, if the, applicant is kept in detention for whole period of trial, therefore, this Court is of the opinion that present is a fit case, where the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
8. Certificate copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)

Judge