

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5543 of 2019**

- Ramesh Kumar Mittal, son of Shri Vedprakash Agrawal, aged about 44 years, occupation Businessman, resident of Kundla City, Ambikapur, Thana Kotwali, Ambikapur, District Surguja (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Police Station Dhaurpur, Ambikapur, District Sarguja (C.G.)

---- Respondent

For Applicant	:	Shri Manoj Paranjape, Advocate with Shri Abhyuday Singh, Advocate
For Respondent	:	Shri Akhtar Hussain, P.L.
For Objector	:	Shri C.J.K. Rao, Advocate

Hon'ble Smt Justice Rajani Dubey**Order on Board****11/11/2019**

1. The applicant has preferred 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.38/2019, registered at Police Station - Dhaurpur, Ambikapur, District Sarguja (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 120-B and 34 IPC.
2. The allegation against the applicant is that he allegedly tempered with the revenue record of land of joint ownership with the complainant so as to denote a Khasra No.239/2 out of Khasra No.239 and thus has obtained a lease from the mining department by making fraud. Further allegation is that the applicant, with a view to extend the lease period from 10 years to 40 years, has tempered with the revenue record. Based on this, offence has been registered against

the applicant. The applicant has been taken into custody on 19.07.2019.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the applicant is owner of the land in question and the complainant, who is brother of the applicant, also carrying the stone crushing business in the land in question. It is next submitted that the complainant filed a complainant against the applicant only because the leased granted to the applicant has been extended to 40 years. He also submits that the applicant is in custody since 19.07.2019, charge sheet has not been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.
4. On the other hand, learned State counsel and learned counsel for objector opposed 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, the quality of evidence and further considering the fact that the applicant is in custody since 19.07.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Sd/-

(Rajani Dubey)
Judge