

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6357 of 2019**

1. Bhikham Baghel & Anr. S/o Bihari Baghel Aged About 63 Years R/o Birejhar, Ward No. 8, Post - Temri, Thana Ghumka, District / Tahsil Rajnandgaon Chhattisgarh.
2. Purshottam Baghel S/o Bhikham Baghel Aged About 40 Years R/o Birejhar, Ward No. 8, Post - Temri, Thana Ghumka, District / Tahsil Rajnandgaon Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Kotwali, District Rajnandgaon Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Anil Gulati, Advocate.
For Respondent	:	Mr. B.L. Sahu, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****08/11/2019**

- The accused/applicants have moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 450/2019 registered at Police Station – Kotwali, District Rajnandgaon (C.G.) for the offence punishable under Section 420/34 of IPC.
- The prosecution story, in brief is that complainant namely Rajkumar Singh lodged a report alleging therein that on 10.02.2016, he has purchased a land belonging to applicant No. 1 through the help of co-accused persons namely Shivendra Verma and Santosh Kumar, but on mutation time, he was well aware that the land was earlier sold to one Chentan Banjare in the year 2009. Thereafter, the FIR has been lodged against the

applicants and were arrested on 07.08.2019.

- Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. The applicants are in jail since 07.08.2019, there is no previous antecedent against them, therefore, the appellants may be released on bail.
- On the other hand, counsel for the State opposes the bail application.
- I have heard learned counsel for the parties and perused the case diary.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants and the fact that the offence is triable by Judicial Magistrate First Class and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
- Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 25,000/- each, with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the said Court on each and every date given to them by the said Court.

Sd/-
(Rajani Dubey)
Judge