

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.9186 of 2018**

Naween Suryawansi, S/o Shri Babulal Suryawansi, aged about 42 years, R/o Badhai Chal, Jarhabhata, Bilaspur, P.S. Civil Line Bilaspur, District Bilaspur (CG).

---- Applicant**Versus**

Atal Sidara, S/o late Variyamal Sidara, R/o Behind Manohar Talkis, Juna Bilaspur, P.S. City Kotwali, Bilaspur, District Bilaspur (CG).

---- Non-applicant

For Applicant : Mr. Badruddin Khan, Advocate.
For Non-applicant : Mr. Atanu Ghosh, Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

18.02.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no bail application is pending before any other Court.
2. The applicant has been arrested in connection with complaint case No.61/2016 registered in Police Station Civil Line, Bilaspur for the offence punishable under Section 420 of Indian Penal Code.
3. In brief the complainant's case is that, the applicant had executed an agreement for sale of the disputed land and house with him. He had obtained Rs.10 lacs as advance from him. Thereafter, he again obtained Rs.3 lacs from him. Later on, he gave him a notice that the alleged agreement for sale is forged and he had not executed such type of agreement. He had refused to execute the registered sale deed. He had made agreement for sale with so many persons prior to execution of this agreement for sale. The trial Court has registered a case under Section 420 of IPC against the applicant.
4. Counsel for the applicant submitted that the applicant is an innocent and has been falsely implicated in the present case. He further submitted that the applicant had given an application to Station House Officer, Civil Line, Bilaspur on 04.08.2015 against the complainant hence, the applicant may be released on bail.
5. Counsel for the State opposed the bail application.
6. Looking to the above facts and circumstances of the case, the bail application is allowed. It is directed that if the applicant furnishes two solvent sureties for a sum of Rs.50,000/- along with a personal bond in the sum of Rs.1,00,000/- to the satisfaction of the concerned Trial Court with the condition that he shall appear before the Trial Court at 11:00 am as and when directed till trial and he would co-operate during the trial, he shall be released on bail and he will not commit any such type of offence in future.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE

L/-