

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9468 of 2018**

Deepak Vishwakarma S/o Late Ram Gopal Vishwakarma Aged About
38 Years R/o Behind Kalchuri School Torwa, Police Station Torwa,
District - Bilaspur, Chhattisgarh. ---- **Applicant**

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Torwa, P.S. Torwa, District - Bilaspur, Chhattisgarh.
---- **Respondent**

For the Applicant	:	Dr. Shailesh Ahuja, Advocate
For the State	:	Ms. Sangeeta Mishra, Govt. Adv.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****10/01/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.217/2018 registered at Police Station Torwa, District Bilaspur (C.G.) for the offence punishable under Sections 420, 120-B, 467, 468, 470, 471/34 of IPC.
3. Case of the prosecution, in brief is that on 16/05/2017 complainant Mithai Lal Bavistale and applicant entered in an agreement for sale of the disputed land and house. Applicant received Rs. 4,50,000/- as an advance from said complainant. Thereafter he refused to execute the registered sale-deed. He had also not returned back the advance amount to the said complainant.
4. Learned counsel for the applicant submits that he has innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is directed that if the applicant furnishes two solvent sureties for a sum of Rs. 25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Court with the condition that he applicant shall not performed himself in similar type of crime in future. He shall appear before the trial Court at 11.00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge