

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9516 of 2018**

Mahesh Kumar Sahu S/o Ramdayal Sahu Aged About 50 Years R/o
Village- Bhothli, Police Station- Amleshwar, District- Durg, CG

---- Applicant

Versus

State of Chhattisgarh Through The District- Magistrate, District- Durg,
CG

---- Respondent

For applicant	Mr. A.C. Sahu, Adv.
For Respondent/State	Mr. I. Lakra, Dy. Govt. Adv.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****14-1-2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. The applicant has been arrested in connection with Crime No. 109/2017 registered in police station Amleshwar Distt. Durg (CG) for offence punishable under Section 420, 467, 468, 471, 120-B of the IPC.
3. Prosecution story in brief is that the disputed lands were in the name of one Firanta Gond. After his death, the disputed lands were mutated in the name of his wife Leelabai. After death of Leelabai, the applicant, co-accused Ashwani Dadsena, Mamta Dadsena made a forged will and transferred the disputed land to some other persons. Complainant Umabai is daughter-in-law of deceased Leelabai.
4. As per photocopy of the statement of the complainant Umabai recorded by the trial Court, she has turned hostile. She has stated that she had not made any complaint. She does not want any proceeding against the accused persons and also wants to compromise the matter.
5. Counsel for the applicant argued that the applicant is innocent and falsely implicated hence he be released on bail.
6. On the other hand, the Panel Lawyer appearing for the State opposed the bail application. However, he submits that no criminal antecedent of the applicant is reported in the police case diary.

7. Looking to the above facts and circumstances of the case, and as trial will take its own time, the application is allowed. It is ordered that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned with the condition that he will appear before the concerned trial Court at 11 AM as and when directed till trial, he be released on bail.
8. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge