

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.9800 of 2018**

Rajesh Sahu, S/o Shri Rameshwar Sahu, aged about 34 years, R/o New Adarsh Nagar, Durg, District Durg (CG). **---- Applicant**

Versus

State of Chhattisgarh, through District Magistrate, Durg, District Durg (CG).

---- Non-applicant**AND****MCRC No.207 of 2019**

Geeta Khobragarhe, W/o Shri Narad Khobragarhe, aged about 56 years, R/o Village Urla, Durg, Tahsil & District Durg (CG). **---- Applicant**

Versus

State of Chhattisgarh, through District Magistrate, Durg, District Durg (CG).

---- Non-applicant

For Applicants : Mr. T.K. Jha and Mr. Ishan Verma, Advocates

For Non-applicant : Mr. Vikram Dixit, Government Advocate

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****11.02.2019**

1. Above mentioned two bail applications arise out of a common Crime No.592/2018 registered at Police Station Kotwali, District Durg for the offence punishable under Sections 386, 419, 420, 467, 468, 471, 201, 34 of Indian Penal Code, therefore, they are being heard analogously and decided by this common order. All the two are first bail applications filed under Section 439 of the CrPC.
2. Prosecution story in brief is that the actual owner of the disputed land is V.V. Anamma. The applicant- Rajesh Sahu threatened the complainants Akash Singh, Gopal Singh and Akshay Kumar that they will represent themselves as a buyer in the registered sale deed. He would be the actual owner. Applicant-Rajesh Sahu prepared forged voter I.D.card and rin pustika of V.V. Anamma. He got ready to applicant- Geeta Khobragarhe to impersonate as V.V. Anamma during the registry. The applicant Geeta Khobragarhe represented herself as V.V. Anamma during the registry. During

the investigation, it was found that in the registered sale deed, which was allegedly executed by V.V. Anamma was containing the photograph of applicant Geeta Khobragarhe. On the memorandum of the applicant Geeta Khobragarhe, one voter I.D. card containing the name of V.V. Anamma was seized from the possession of applicant Rajesh Sahu.

3. Counsel for the applicants respectively submitted that the applicants are innocent and have been falsely implicated in the present case and as such the applicants may be released on bail.
4. Counsel for applicant-Rajesh Sahu further submitted that ten cases have been registered against the applicant because he is a member of Tapan Sarkar Gang. The witnesses of the registered sale deed have not been main accused.
5. Counsel for the State opposed the prayer for grant of bail.
6. Looking to these facts and circumstances of the case, looking to the seriousness of the offence; and looking to the impact of granting bail to the applicants on society, this Court is not inclined to give benefit of Section 439 of CrPC to the applicants. Consequently, the bail applications (M.Cr.C. No.9800/2018 & M.Cr.C. No.207/2019) are rejected.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-