

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.1797 of 2020

- Kamalchand Burad, S/o Late Shri Ranulal Ji Burad, Aged About 54 Years, R/o House No.49, Sector -03, Devendra Nagar, District Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through District Magistrate, District Raipur, Chhattisgarh

---- Respondent

For Applicant	Shri Amiyakant Tiwari, Advocate
For Respondent-State	Shri K. K. Singh, GA
For Respondent-Objector	Shri Shobhit Mishra, Advocate

Proceeding through Video Conferencing

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board

13/08/2020

1. The applicant has preferred this bail application under Section 439 of the CrPC, as he has been arrested in connection with Crime No.36/2020, registered at Police Station Ganj, District Raipur (C.G.) for the offence punishable under Sections 420, 467, 468, 471 & 506 of IPC.
2. The applicant was inducted as tenant by one Rajendra Kothari in his House No.D-49, Sector-3, Devendra Nagar, Raipur in the year 2010. After death of Rajendra Kothari on 11.06.2014, name of the legal heirs including the complainant Nita Kothari was recorded in the official records. The applicant thereafter

misbehaved with her and later on she became aware that the applicant had forged a tenancy agreement and an agreement in the name of her husband Rajendra Kothari where he agreed to sell the house to the applicant for Rs.17 Lakhs.

3. Learned State counsel and learned counsel for the objector would vehemently argue that the applicant intended to grab the property by forging the tenancy agreement and sale agreement, therefore, he is not entitled for bail.
4. Considering that the initial induction of the applicant as tenant in the year 2010 is not disputed as also for the fact that he is in jail since 07.02.2020 and the offences are trialable by the Judicial Magistrate First Class, this Court is inclined to release the applicant on bail. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-
Prashant Kumar Mishra
Judge