

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4548 of 2020**

- Kriparam Sarthi, S/o Bahoran, Aged About 65 Years, R/o Motinagar, Korba, Tahsil & District - Korba Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh, Through: The Station House Officer, Police Station - Chhal, District - Raigarh Chhattisgarh.

---- Respondent**with****MCRC No. 4855 of 2020**

- Jageshwar Chauhan, S/o Shri Karam Singh Aged About 32 Years, Permanent Address- Village- Munand, Police Station- Chhal, Tehsil- Dharamjaigarh, District- Raigarh Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh, Through: The Police Station House Officer, Chhal, District- Raigarh Chhattisgarh.

---- Respondent

For Applicants	: Mr. Mirza Kaiser Baeg, Adv. in MCRC No. 4548/2020 Mr. Rajat Agrawal, Adv. in MCRC No. 4855/2020
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For Respondent/State	: Ms. Sunita Jain, G.A.
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Hon'ble Smt. Justice Rajani Dubey**Order on Board****02.09.2020**

1. As both MCRCs arise out of same crime number, they are being heard and disposed of by this common order.
2. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 86/2020 registered at Police Station- Chhal, District- Raigarh (C.G.) for the offence punishable under Section 420, 120B & 34 of I.P.C.
3. The prosecution story, in brief is that, the present applicants along with other co-accused person have committed forgery by selling land to the complainant. Thereafter, offence has been registered against the present applicants.
4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that they are not main accused. The main allegations made against the co-accused person namely Surendra Purohit. The applicant named Kriparam Sarthi is in jail since 28.06.2020 and the applicant named Jageshwar Chauhan is in jail since 27.06.2020, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
5. On the other hand, counsel for the State opposes the bail application. It is submitted that the crime committed by the applicants is of serious in nature, so, it is not a fit case to release them on bail.
6. I have heard learned counsel for the parties and perused the case diary.

7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants and further considering the facts that they are not main accused and the main allegations made against the co-accused person namely Surendra Purohit, the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
8. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 50,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

**Sd/-
(Rajani Dubey)
Judge**

Ruchi