

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4946 of 2020**

- Santosh Chakradhari S/o Late Gappulal Chakradhari aged about 38 years, R/o N.H. 397, Rasmada, Durg, District-Durg, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through - S.H.O., P. S. Pulgaon, Durg, District-Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Pushkar Sinha, Adv.
For Respondent/State	:	Mr. H. S. Ahluvalia, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****15/09/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 242/2020 registered at Police Station Pulgaon, Durg, District-Durg (C.G.) for the offence punishable under Section 420 of the IPC.
2. The prosecution story in brief, is that complainant Laxman Singh lodged a report with the allegation against the present applicant that the applicant made an agreement for sale of land total Rs. 4,75,000/- and he received the consideration amount through cash and cheque but the applicant has not the right to transfer the land and thereby he deceived him and committed forgery with him. Based on this offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the said land is registered in the name of his late father in the revenue record and

applicant has all the rights to sell or make any agreement pertaining to the said land and further he made an agreement with the complainant for sale. He also submits that the charge-sheet has been filed and the applicant is in jail since 06.07.2020, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application and submits that the applicant made an agreement with the complainant for sale of land which belongs to the gram panchayat and the applicant have no right to sell the land; therefore, no case is made out for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering that the applicant is in jail since 06.07.2020, and 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 applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

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