

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7289 of 2019

- Deenbandhu Patel S/o Shri Mahesh Patel Aged About 35 Years R/o Deepapara Arand, P.S. And Tahsil Pithoura, Civil And Revenue Distt. - Mahasamund Chhattisgarh....(In Jail)

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Pithoura, Civil And Revenue Distt. Mahasamund Chhattisgarh.

---- Respondent

MCRC No. 7638 of 2019

- Malay Yadav S/o Shri Gangaram Yadav Aged About 46 Years R/o Village Jhalap, P.S. - Patewa , Tahsil And Distt. Mahasamund Chhattisgarh....(In Jail).

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Pithoura, Civil And Revenue Distt. Mahasamund Chhattisgarh.

---- Respondent

MCRC No. 8449 of 2019

- Sanjay Rao Kate S/o Chedilal Kate Aged About 35 Years R/o Village - Jhalap, Police Station Pithora, District -

Mahasamund Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Police Station Pithoura, Mahasamud, Distt. Mahasamund Chhattisgarh.

---- Respondent

For Applicants	:-	Mr. Suni Sahu, Advocate, in MCRCs No.7289 & 1638 of 2019
	:-	Mr. Shubhank Tiwari, Advocate in MCRC No.8449 of 2019
For Respondent-State	:-	Mr. Sameer Sharma, Dy. GA

Hon'ble Smt. Justice Rajani Dubey
Order on Board

10/01/2020

- Since the aforesaid bail applications are arising out of the same crime number, they are being disposed of by this common order.
- The accused/applicants have moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing his on regular bail during trial in connection with Crime No. 205/2019 registered at Police Station – Pithoura, District Mahasamund (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 120-B of the IPC.
- The prosecution story, in brief, on 25.10.2019 Smt.

Angita Yadas had lodged the report against the Uttam Kumar Majumdar, alleging that she gave Rs.20,000/- to Uttam Kumar Majumdar for making the lease of her lands. After making enquiry she gets to know that Uttam Kumar Majumdar is not the government servant nor the Revenue Officer. On memorandum statement one of co-accused, rubber stamp was seized from Malay Yadav, one of the applicants in the present bail applications. Based on this, offence has been registered. The present applicants have been taken into custody on 26.10.2019.

- Learned counsels for the applicants submits that the applicants are innocent and has been falsely implicated in the case. They further submit that they have not committed any fraud or forgery in preparing the forged document or obtained any of the amount from the complainant. The name of the applicants are not mentioned in the FIR as well as in the written report. They further submit that Uttam Kumar Majumdar is the main accused. As the applicants are in jail since 26.10.2019 and they are ready to furnish adequate surety and shall abide by all the directions and conditions which may imposed by this Court, the present applicant may be released on bail.
- On the other hand State counsel strongly opposes the bail application.
- I have heard learned counsel for the parties and

perused the entire material available on record.

- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case and further considering the fact that they are in jail since 26.10.2019 and as 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 applications are allowed.
- Accused/applicants are directed to be released on bail on his 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 said Court on each and every date given to them by the said Court.

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