

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7538 of 2019**

- Shivendra @ Sagar Kuldeep S/o Shri Chunnilal Kuldeep, Aged About 38 Years, R/o Station Para, Ward No. 12, Near Siddiqui Hospital, Sahar, Tahsil And District Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Outpost Chikhli, Police Station Kotwali, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Abhishek Sharma, Adv.
For Respondent/State	:	Mr. Sameer Shamra, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****16/01/2020**

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. 420/2019 registered at Outpost-Chikhli, Police Station-Kotwali, District - Rajnandgaon (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 419, 201, 34 of the IPC.
2. The prosecution story, is that complainant Preeti Meshram lodged a report that the applicant and one other Sunny Chachane who are residing in her colony doing the work of sale and purchase the property and they executed a fraud sale deed for sale of a plot ad-measuring 3/1/4 dismil of Narendra Wadhawa and obtained Rs. 3,50,000/- from her, but thereafter, they failed to register the land in her favour. 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 other co-accused have already been granted bail in MCRC No. 5571/2019 so, the present applicant may also be granted benefit of bail. The applicant is in jail since 28.07.2019, 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.
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 the facts that the other co-accused has already been granted bail and the applicant is in jail since 28.07.2019 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**