

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8306 of 2019**

- Piyarsai S/o Thuru Aged About 50 Years R/o Village Jagarnathpur, Police Station And Tahsil Pratappur, District Surajpur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Outpost Khadgawan, Police Station Pratappur, District Surajpur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Aditya Chopra, Adv.
For Respondent/State	:	Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****06/02/2020**

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. 71/2019 registered at Police Station-Outpost-Khadgawan, P.S. Pratappur, District - Surajpur (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 34 of the IPC.
2. The brief facts of the prosecution, is that, complainant Amru @ Amrit Lal Bek lodged a report that the land Khasra No. 1460 and 1507 are jointly recorded in the name of complainant and his brothers. The said land were acquired for the purpose of mining and the amount of compensation total Rs. 9,88,400/- was deposited in the Bank. The present applicant along with other co-accused persons by impersonating themselves as holders of the said joint account, withdrawn the compensation amount from the bank. Based on this offence has been registered against the present applicant and other co-accused persons.

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 co-accused persons have already been granted bail in MCRC No. 5952/2019 so, the present applicant may also be granted benefit of bail. He also submits that the applicant is in jail since 08.05.2019, 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 co-accused persons have already been granted bail and the present applicant is in jail since 08.05.2019 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. 25,000/- 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