

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8518 of 2019**

- Kailash Agrawal, S/o Shri Fakirchand Agrawal, Aged About 47 Years, R/o Village Ketka Road, Surajpur, District- Surajpur Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh, Through Station House Officer ,Police Station: Jhilmili, District- Surajpur Chhattisgarh.

---- Respondent

MCRC No. 283 of 2020

- Vijay Shukla, S/o Shri Vaidanti Shukla, Aged About 43 Years, R/o Village Koilari, Police Station- Jhilmili, Tehsil Bhaiyathan, District- Surajpur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh, Through Police Station- Jhilmili, District- Surajpur, Chhattisgarh.

---- Respondent

with**MCRC No. 92 of 2020**

- Sant Kumar Dubey, S/o Late Shri Chandrika Prasad Dubey, Aged About 50 Years, Caste Brahmin, By Occupation Agricultrist, R/o Village Koilari, Thana Jhilmili, Tahsil Bhaiyathan, District- Surajpur, Chhattisgarh.

---- Applicant

Versus

- The State of Chhattisgarh Through Police Station- Jhilmili, District- Surajpur, Chhattisgarh.

---- Respondent

For Applicants

: Shri Abhishek Sinha, Adv.
in MCRC No. 8518/2019
Shri Pragalbha Sharma, Adv.
in MCRC No. 283/2020
Shri Parag Kotecha, Adv.
in MCRC No. 92/2020

For Respondent/State
For Objector

: Shri Sameer Sharma, Dy. G.A.
: Shri Satish Gupta, Adv.
in MCRC No. 8518/2019

Hon'ble Smt. Justice Rajani Dubey

Order on Board

11.02.2020

1. As all three 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. 44/2018 registered at Police Station- Jhilmili, District- Surajpur (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 120B, 34 of I.P.C.
3. The prosecution story, in brief is that, the applicant with other co-accused persons have executed a registered sale deed of land in the name of the complainant Neeraj Agrawal against the sale amount of Rs. 8 lacs. Thereafter, offence has been registered against the present applicants and other co-accused persons.
4. Learned counsels for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. They further submits that the other co-accused persons have already been granted bail in MCRC Nos. 5637/2019, 5696/2019 and 6249/2019. The applicants are in jail since 10.12.2019 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 and counsels for the objector have also made their objections regarding grant of bail to the present applicants.
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 the other co-accused persons

have already been granted bail in MCRC Nos. 5637/2019, 5696/2019 and 6249/2019. The applicants are in jail since 10.12.2019 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 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**