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HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 215 of 2021

- Shyam Singh Rajput S/o Balkrishna Rajput Aged About 32 Years R/o Kukricholi, P.S. Urga, Tehsil And District Korba Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Shyang, District Korba Chhattisgarh.

---- Respondent

MCRC No. 221 of 2021

- Shyam Singh Rajput S/o Balkrishna Rajput Aged About 32 Years R/o Kukricholi, P.S. Urga, Tehsil And District Korba Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Shyang, District Korba Chhattisgarh.

---- Respondent

MCRC No. 229 of 2021

- Shyam Singh Rajput S/o Balkrishna Rajput Aged About 32 Years R/o Kukricholi, Police Station Urga, Tehsil And District Korba, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Shyang, District Korba, Chhattisgarh.

---- Respondent

MCRC No. 231 of 2021

- Shyam Singh Rajput S/o Balkrishna Rajput Aged About 32 Years R/o Kukricholi, Police Station Urga, Tehsil And District Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Shyang, District Korba, Chhattisgarh.

---- Respondent

MCRC No. 316 of 2021

- Shyam Singh Rajput S/o Balkrishna Rajput Aged About 32 Years R/o Kukricholi, P.S. Urga, Tehsil And District Korba Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Shyang, District Korba Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. Anshul Tiwari, Advocate
For Respondent-State	:-	Mr. Alok Nigam, Govt. Adv.

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

03/02/2021

1. Since all the bail applications are filed by same applicant, they are being heard and decided by this common order.
2. These are the second bail applications preferred by the applicant under Section 439 of CrPC for grant of bail, as he is arrested in connection with crime Nos.15/2020, 17/2020, 16/2020, 13/2020 and 14/2020, registered in Police Station Shyang, District-Korba C.G. for the offence punishable under Sections 420, 467, 468, 471 read with Section 120(b), 34 of the I.P.C.
3. All the first bail applications of the applicants were dismissed as withdrawn on 16.12.2020 in MCRC No.7473 of 2020 and other connected matters.
4. The applicant along with other accused persons sold the Government land leased out to Balak Ram, S/o Piluram without obtaining permission from the concerned Collector and thereafter the Login ID of Halka Patwari was fraudulently used for On-Line correction of the record in the भुइयां (छत्तीसगढ़ राज्य का भू-अभिलेख कंप्यूटरीकरण परियोजना है) software of the Revenue Department of the Government.
5. It is argued that the applicant was not involved in fraudulently using the Login ID of Patwari and is otherwise not connected with the crime, therefore, he is entitled to be released on bail.
6. Learned counsel for the State, *per contra*, would oppose the bail applications. Learned counsel would submit that the

applicant is habitual in committing fraud with the Government land and as per the memorandum statement he was instrumental at the time of execution of sale deed, therefore, he is not entitled to be released on bail.

7. In one papers issued by the Tahsildar, Korba addressed to the concerned police it is mentioned that in the अधिकार अभिलेख of the year 1954-55 the subject land (khasra No.717/1/ख) is not separately registered and that khasra No.717/1 is registered as forest land in the name of 'बड़े झाड़ के जंगल'. Thus, the forest land has been sold by fraudulently preparing the maintenance khasra, Form B-1, Form P-II, holding book, etc. in the name of seller Balak Ram for effecting sale of the subject land. In his memorandum statement the applicant has disclosed that he had obtained the above forged documents and facilitated execution of sale deed. Thus, it cannot be said that he is not involved in the subject offence of preparation of forged documents and execution of sale deed involving in Government forest land.
8. Considering the material available in the case diary, I am of the opinion that present is not a fit case to release the applicant on regular bail.
9. Accordingly, all the second bail applications are rejected.

Sd/-

(Prashant Kumar Mishra)
Judge

Gowri