

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 729 of 2021

- Pramod Kumar Joshi S/o Uday Kumar Joshi Aged About 33 Years R/o 57, Sadar Bazar, Raipur Tahsil And District- Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Mujgahan, District- Raipur, Chhattisgarh

---- Non-Applicant

For Applicant	:	Dr. Shailesh Ahuja, Advocate
For Non-Applicant/State	:	Shri Vimlesh Bajpai, G.A.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

17/03/2021

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested on 10.1.2021 in connection with Crime No.06/2021, registered at Police Station- Mujgahan, District Raipur (CG) for the offence punishable under Sections 418, 420, 34 of the IPC.
2. Case of the prosecution is that the complainant lodged a report that he had a land registered in the name of his company namely- Vardan Buildcon L.L.P., area 20.90 acres and the applicant has made forged agreement to sell his property for Rs.51,70,50,000/- .
3. Learned counsel for the applicant submits that the allegations against the applicant are false and fabricated and he has been falsely implicated in the case. He submits that name of the applicant is not mentioned in the FIR and the applicant is Managing Director of Purashi Buildcon Pvt. Ltd., he was no knowledge regarding the forged agreement executed by Satish Kumar Sinha. He further submits that the applicant has not obtained any money from any person and only some blank cheques were recovered from him. He

submits that the applicant is in jail since 10.1.2021 and conclusion of trial may take some time, therefore, at this stage, the applicant may be granted bail.

4. On the other hand, learned counsel for the Non-Applicant/State opposes prayer for grant of bail.
5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, looking to the FIR in which the name of the applicant is not written nor any agreement has been executed by the applicant, memorandum statement of the applicant and only blank cheques were seized from the present applicant, there is no apprehension of the applicant tampering with the evidence or absconding and conclusion of trial is likely to take some time, without commenting on merits, I am inclined to grant bail to the applicant.
6. Accordingly, the bail application is allowed.
7. It is directed that in the event of the applicant executing a personal bond for a sum of Rs.1,00,000/- with two sureties of Rs.50,000/- each to the satisfaction of the concerned Trial Court, he shall be released on bail on following conditions:-
 - (a) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court.
 - (b) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
 - (c) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
 - (d) he shall not involve himself in any offence of similar nature in future.

Sd/
(Gautam Chourdiya)
Judge