

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 3937 of 2021**

- Satish Kumar Sinha S/o Shri Ramashray Sinha Aged About 40 Years R/o Aazad Chowk, Sinha Furniture, Birgaon Police Station Urla, District Raipur Chhattisgarh.

---- Applicant**Versus**

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

---- Non-Applicant**MCRC No. 2316 of 2021**

- Suresh Kumar Yadav S/o Shri Shiv Kumar Yadav Aged About 41 Years Resident Of Ward No. 68, Shitla Para, Raipura, P.S. D.D. Nagar Raipur, District Raipur Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Mujgahan (Wrongly Mentioned As D.D. Nagar), Raipur District Raipur Chhattisgarh.

---- Non-Applicant

For Applicant : Shri Ishan Verma and Shri Pradeep Singh Rathore, Adv.
For Non-Applicant : Shri VR Tiwari, Additional AG.

Proceeding Through Video Conferencing**Hon'ble Shri Prashant Kumar Mishra, Ag CJ****Order On Board****04/08/2021 :**

1. IA No.1/2021 application for condonation of delay in removing the

default filed in MCRC No.3937/2021 is allowed.

2. The aforesaid MCrCs are being disposed of by this common order as they arise out of Crime No.6/2021 registered in Police Station: Mujgahen, District Raipur for offence under Section 420 and 418/34 of the IPC.
3. As per the allegation made in the complaint made by Deepak Raheja of M/s Wardhan Buildcon, the company owns the land ad measuring 20.90 acres, however, applicant Satish Kumar Sinha posing himself as owner of the land executed the sale agreement in favour of Gyaneshwar Prasad Madhariya for sale of the property for Rs.51,70,50,000/- . It is also stated in the agreement that Gyaneshwar Prasad Madhariya has paid advance amount of Rs.2 crores to applicant Satish Kumar Sinha and the other applicant Suresh Kumar Yadav is a witness in the said sale agreement.
4. The complaint is not lodged by Gyaneshwar Prasad Madhariya alleging that he has been cheated of Rs.2 crores. It is the case of the complainant that the applicants fraudulently entered into the sale agreement with Gyaneshwar Prasad Madhariya knowing fully well that the land does not belong to them.
5. Learned State Counsel would oppose the prayer for grant of bail.
6. Co-accused Pramod Kumar Joshi, who according to the applicant Satish Kumar Sinha, was instrumental behind the forged agreement, has already been released on bail in MCrC No.729/2021. The present applicant Satish Kumar Sinha is in jail since 9.1.2021 whereas applicant Suresh Kumar Yadav is in jail since 10.1.2021. The offences

are triable by the Judicial Magistrate 1st Class.

7. Therefore, considering all the relevant aspects of the matter, I am inclined to release the applicants on bail.
8. Accordingly, the applications are allowed and the applicants are directed to be released on bail on each of them executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

Sd/-
(Prashant Kumar Mishra)
Acting Chief Justice

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