

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4181 of 2021**

- Ramashankar Sinha S/o Sadhuran Sinha Aged About 39 Years R/o Village Nagar Panchayat Charama, District North Bastar Kanker Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Kotwali, Durg District Durg Chhattisgarh

---- Respondent

For Applicant	:-	Mr. Sumit Singh, Advocate
For Respondent-State	:-	Mr. Arjit Tiwari, PL
For Objector	:-	Mr. Avinash Chand Sahu, Advocate

Proceedings through Video Conferencing**Hon'ble Shri Prashant Kumar Mishra, Ag.CJ**
Order On Board**02/08/2021**

1. The applicant has preferred this bail application under Section 439 of the Cr.P.C. for grant of regular bail as he is arrested in connection with crime No.122/2021 registered in Police Station Kotwali, Durg District Durg C.G. for the offence punishable under Section 420 of the I.P.C.
2. Applicant agreed to sell 30 acres of land in favour of complainant Amit Kumar Dubey for Rs. 30 Lacs by executing an agreement on 05.11.2019 and received

advance amount of Rs.23 Lacs without disclosing that the land has been mortgaged with Dena Bank now Bank of Baroda.

3. Learned counsel for the applicant submits that a civil transaction has been given colour of a criminal offence which is otherwise triable by JMFC, therefore, the applicant is entitled to be released on bail.
4. Learned State counsel would oppose the prayer for grant of bail.
5. Considering the nature of allegation as also for the fact that applicant is in jail since 26.5.2021; charge-sheet has already been filed and the offence is triable by JMFC, I am inclined to release the applicant on bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on 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. He is directed to appear before the trial Court on each and every date given by the said Court.

Certified copy as per rules.

SD/-
(Prashant Kumar Mishra)
Acting Chief Justice

Ayushi