

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 4522 of 2021**

- Baburam S/o Late Dayaram Aged About 70 Years R/o Village Mohrenga, Police Station Nandini Nagar (P.S. Nandani Wrongly Mentioned In Order Sheet), District Durg Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through The Station House Officer Police Station Nandini, District Durg Chhattisgarh

---- Respondent

For Applicant	Mr. Harshwardhan Parganiha, Advocate
For Respondent /State	Mr. Vikram Sharma, Dy. GA

Proceedings through Video Conferencing**SB.: Hon'ble Mr. Prashant Kumar Mishra, Ag. CJ**
Order On Board**23/8/2021**

1. Heard.
2. This is an application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.352/2017 registered at Police Station Nandini, District Durg (Chhattisgarh) for the offence punishable under Sections 420, 34 of the IPC.
3. One Kejau, father of the complainant, had about 30 acres of land at village Mohringa spread over 4 Khasra numbers. After his death, sometimes in the year 1980-81, the name of the applicant was entered in two Khasras and in the two remaining

Khasras, names of the legal heirs of Kejau were recorded. After the present written complaint was lodged on 13.9.2017, a report was received from the office of the Sub Divisional Officer (Revenue), Dhamdha on 16.10.2017 mentioning that in the settlement records of 1982-83, the applicant's name has been recorded over two Khasras without there being any alienation in his favour.

4. Learned counsel for the State would oppose the bail application.
5. Considering the facts and circumstances of the case, particularly considering the fact that the applicant is a septuagenarian, as also the fact that he is in jail since 6.6.2021; the charge sheet has already been filed; and the offence is triable by the Judicial Magistrate First Class, I am of the opinion that present is a fit case to release the applicant on regular bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond for a sum of Rs.50,000/- with one surety in 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.
7. Certified copy as per rules. **Sd/-**

(Prashant Kumar Mishra)

Acting Chief Justice