

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 8513 of 2020

1. Balak Ram, Aged About 62 Years, Son Of Peeluram Resident Of Village- Jilga, Police Station- Shyang, Tahsil And District- Korba (Chhattisgarh)

---- Applicant

Versus

1. State Of Chhattisgarh Through Station House Officer, police Station- Shyang, District- Korba (Chhattisgarh)

---- Respondent

For Applicant :	Shri Anil Tripathi, Advocate
For Respondent/State	Shri Ayaz Naved, Govt. Advocate

Order On BoardByPrashant Kumar Mishra, J.4-3-2021

1. The applicant has preferred this bail application under Section 439 of CrPC, as he is arrested in connection with Crime No.17/2020, registered at Police Station Shyang, District Korba (CG), for the offence punishable under Sections 420, 467, 468, 471, 34 of the Indian Penal Code.
2. This applicant was a lessee of Government land, however, he sold it 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.

3. 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.
4. Learned counsel for the State, per contra, would oppose the bail application. Learned counsel would submit that the main allegation of selling Government land is against the present applicant in whose name the records were corrected.
5. 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 the applicant for effecting sale of the subject land. In the memorandum statement the co-acused Shyam Singh Rajput has disclosed that he had obtained the above forged documents and facilitated execution of sale deed. Thus, it cannot be said that the applicant is not involved in the subject offence of execution of sale deed involving in Government forest land.
6. 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.
7. Accordingly, the bail application is rejected.

Sd/-

(Prashant Kumar Mishra)
Judge

Gowri