

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 9122 of 2020**

Abdul Tahir Husain, S/o Shri Tajafful Husain, Aged about 54 years, R/o Ramnagar, Supela, Police Station Supela, Distt. Durg, Chhattisgarh.

---Applicant

Versus

State Of Chhattisgarh Through the Station House Officer, Police Station Utai, Distt. Durg, Chhattisgarh.

--- Non-applicant/State

For Applicant :- Mr. T.K. Jha, Advocate
For State :- Mr. Ayaz Naved, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

19/05/2020

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 in connection with Crime No. 02/2019, registered at Police Station - Utai, District Durg (CG), for the offence punishable under Sections 420, 467, 468 and 471 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant along with one co-accused person is said to have sold a piece of land owned by the complainant by fraudulently claiming to be the

complainant namely Mohd. Aayub, and thereby, he has committed the aforesaid offences.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in the crime in question and the complainant himself is in possession of the said land. He would further submit that the applicant is in jail since 13/06/2020 and the trial is likely to take time. Charge-sheet has been filed.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, role of the present applicant and pre-trial detention of the applicant, and further considering that charge-sheet has been filed and the applicant is in jail since 13/06/2020, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

9. Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

Harneet