

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9362 of 2020**

- Sukrit Das Sahu S/o Hiralal Sahu Aged About 78 Years R/o Village-Navagaon, Tahsil And Police Station- Kurud, District- Dhamtari (C.G.), District : Dhamtari, Chhattisgarh **---- Applicant**

Versus

- State of Chhattisgarh through Officer-In-Charge, Police Station- Arjuni, District-Dhamtari (C.G.) **---- Non-applicant**

For Applicant : Mr. Sanjeev Kumar Sahu, Advocate.

For State : Mr. D.K. Tiwari, Dy. Govt. Advocate.

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****02-02-2021**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail as he is in jail since 9-12-2020 in connection with Crime No.238 of 2020 registered at Police Station Arjuni, District Dhamtari (CG) for the offence punishable under Sections 420, 467,468, 120-B/34 of IPC.
2. The case of the prosecution, in brief, is that the complainant namely Govind Dewangan lodged a report in Police Station stating therein that the applicant executed an agreement on 16-11-2019 to sell the land bearing Khasra No. 394 old 284/1, 298/2 total 3.89 hectares and 396 old, 298/1 total 4.05 hectares for cash consideration of Rs.2,52,00,000/- and in this regard an advance of Rs.75,000/- has been taken by the applicant from the

complainant. On inquiry it was found that the said land was not in the name of the present applicant

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. He further submits that the applicant was the original owner of the said land and in his name was mentioned in revenue record as per Form-B-1. He further submits that the present appellant is aged about 78 years, the charge-sheet has been filed, he is in jail since 9-12-2020, conclusion of the trial is likely to take some time for its final disposal, therefore he may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, as per agreement Rs.75,000/- has been taken by the applicant as an advance from the complainant, Khasra numbers of the said land were also mentioned in the said agreement and the land belongs to the present applicant as per Form-B-1, looking to the age of the present applicant, charge-sheet has been filed and that conclusion of trial may take some time, without commenting anything on merits of the case, I am of the opinion that it is a fit case to grant bail to the applicant.
7. Accordingly, the application is allowed and it is directed that the applicant shall be released on bail on each executing a personal

bond for a sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the concerned trial Court. He shall appear before the trial Court on each and every date given by the said trial court, till disposal of the trial. The applicant is being granted bail on the following conditions:

- i. he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,
- ii. he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- iii. he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
- iv. he shall not involve himself in any offence of similar nature in future.

Sd/-

(Gautam Chourdiya)
Judge

Raju