

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MISC. CRIMINAL CASE NO. 8795 OF 2021

Ashish Paikra S/o Ram Bhagat Aged About 24 Years R/o Sichai Colony Rudri Quarter No. H-21 P.S. Rudri, Tehsil and District Dhamtari Chhattisgarh.

... Applicant

Versus

State of Chhattisgarh, through the Station House Officer, Police Station Rudri, District Dhamtari (CG).

... Respondent

For Applicant	:	Shri BP Singh, Advocate.
For Respondent-State	:	Shri Chandresh Shrivastava, Dy. AG

Hon'ble Shri Justice P. Sam Koshy

Order on Board

20.12.2021

1. This is the first bail application seeking for grant of bail to the Applicant who is in jail since 20.07.2021 in connection with Crime No. 54 of 2020 registered at Police Station Rudri, District Dhamtari for the offence punishable under Sections 420, 120-B, 467, 468 and 471/34 IPC.
2. The allegation as per the prosecution against the present applicant is that the present applicant's father who was a Patwari is said to have illegally got mutated certain property belonging to the complainant and that on the basis of the said interpolated documents in the revenue records the present applicant is said to have obtained loan from the Bank of Baroda, Branch at Abhanpur.
3. Learned counsel appearing for the appellant submits that the present applicant is totally ignorant in the entire transaction as whatever illegalities that is alleged is done by his father who was a Patwari. The counsel for the appellant also submits that handwriting of the documents against which loan has been obtained has also not been examined till date and therefore also the applicant should be released on bail.

4. On the other hand the counsel for the State opposing the bail application submits that it is not the only property which has been illegally transferred in the name of the applicant by his father. There have been other such instances also where the father of the applicant in the capacity of Patwari has interpolated the revenue records and have got the name of the present applicant entered as the owner of the property and against those cases also the applicant has gone and has obtained loan from the same Bank of Baroda at Abhanpur Branch. Thus, it is not the only case where the applicant is not aware of any of the misdeeds and illegalities that have been done by the father of the applicant. Therefore, the applicant does not deserve to be released on bail.
5. Having heard the contentions put forth on either side and on perusal of records, particularly taking note of the act on the part of the applicant in taking loan against the property which has illegally come in his name goes to prima facie show that the present applicant also has full knowledge of the entire act and action on the part of the father of the applicant also. Thus, this court does not find any strong case made out for grant of bail.
6. Accordingly, the bail application stands rejected.

Sd/-
(P. Sam Koshy)
Judge