

Gajendra Sahu Vs State Of Chhattisgarh

Court: Chhattisgarh High Court

Date of Decision: July 25, 2018

Acts Referred: Code Of Criminal Procedure, 1973 " Section 439
Indian Penal Code, 1860 " Section 120B, 418, 420, 467, 468, 471

Hon'ble Judges: Goutam Bhaduri, J

Bench: Single Bench

Advocate: Shrawan Agrawal, Ashish Shukla

Final Decision: Allowed

Judgement

Goutam Bhaduri, J

1. This is the first bail 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. 684/2016 registered at Police Station Supela, Distt. Durg (C.G) for the offences punishable under Sections 418,

420, 467, 468, 471, 120- B of Indian Penal Code.

2. As per the prosecution case, a report was made by the complainant Bairagi that he entered into an agreement for purchase of land with Vishnu

Lodhi and paid an amount of Rs.4 Lakhs and thereafter it was revealed that actually the said land does not belong to Vishnu Lodhi and Vishnu Loadi

was impersonated by Nehru Lodhi and forged document was prepared whereby the said amount was paid. Against this applicant, it is alleged that he

introduced Nehru Lodhi and Vishnu Lodhi.

3. Learned counsel for the applicant submits that one of the co-accused Mukund Pal has been enlarged on bail and the case of the present applicant is

better than Mukund Pal who has been enlarged on bail. He further submits that the applicant is in jail since 14.08.2017 and the charge sheet has been

filed, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary and the documents. Considering the fact that the other co-accused has been released on bail and the applicant is in jail since

14.08.2017 and further taking into fact that the charge sheet has been filed and the evidence appears to be documentary in nature, I am inclined to

release the applicant on bail.

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

7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.