

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6049 of 2015

- Narayan Prasad Nirmalkar, S/o Shri Dasharu Ram Nirmalkar, aged about 35 Years, R/o Village Chhibarra, Thana & Tahsil Pithoura, Civil and Rev. Distt. Mahasamund Chhattisgarh.

---- Petitioner

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Pithoura, Distt. Mahasamund Chhattisgarh.

---- Respondent

For the applicant	:	Mr. Sunil Sahu, Advocate
For the Respondent	:	Mr. Anupam Dubey, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

17.11.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No.308 of 2014 registered at P.S. Pithoura, Distt. Mahasamund (C.G) for the offence punishable under Sections 420, 409, 467, 468, 471, 120-B/34 of IPC
2. As per the prosecution case, the applicant was working as Assistant Cvlerk in Prathmik Krishi Sakh Sahakari Samiti Sarkanda which had granted loans to various farmers. It is alleged that even the loans were granted to the persons who were dead and this applicant has identified the thumb impression of one Dayaram and Chhedu who have been granted loans of Rs.1,41,000/- and Rs.1,90,000/-.
3. Learned counsel for the applicant submits that on enquiry being made, the applicant has been inculpated and actually the offence has been committed by other co-accused who were Samiti President and the Computer Operator and the applicant being the clerk has followed

the the directions of his higher authorities. He further submits that the applicant is in jail since 16.07.2015 and looking to his period of detention, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. Having regard to the nature of allegations and taking into the fact that charge sheet has been filed and the evidence available in this case is in the nature of documentary evidence and looking to the detention of the applicant, I am inclined to release the applicant on bail.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He shall appear before the trial Court on each and every date as may be given by the said Court.
7. Cc as per rules.

Sd/-
GOUTAM BHADURI
JUDGE