

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6567 of 2015

Manoj Kumar Suryavanshi S/o.- Pandurang Suryavanshi, aged about 41 years, R/o. Janta Colony, Lakhoul, Rajnandgaon, Civil and Revenue District- Rajnandgaon (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through Police Station – Sihawa, District Dhamtari (C.G.)

---- Respondent

For Applicant	:-	Shri B.P. Singh, Advocate
For Respondent/State	:-	Shri Ashish Shukla, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

02/12/2015

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. 55/2015 registered at Police Station –Sihawa, District Dhamtari (C.G.) for the offence punishable under Sections 406,409,420, 467, 468, 471 and 120 (B).
2. As per the prosecution case one Manoj Kumar and Santosh Kumar convinced one Puran Singh to get loan from Antavyavasai Sahkari Vikas Samiti. Thereafter, they along with Puran Singh went to Antavyavasai Sahkari Vikas Samit to get loan sanctioned. Subsequently, Puran Singh was taken to the show room of the Tractor his photograph were taken out with the Tractor and thereafter he was assured that the Tractor would be sent to his residence. He was sent back along with amount of Rs. 10,000/-. Subsequently, Tractor did not reach to Puran Singh

and instead for non payment of installment he received the notice and thereafter report was made.

3. Counsel for the applicant submits that the loan actually was sanctioned to the beneficiary/loanee and some of the installments were also paid and it cannot be stated that the applicant has committed any offence under the aforesaid sanction. He further submits that the other co-accused persons namely Rohit Ram has already been granted bail by this High Court in M.Cr.C. No. 6100 of 2015 on 18.11.2015 and the present applicant may also be entitled for bail on the ground of parity.
4. On the other hand, learned counsel for the State, after verifying the records, would submit that the present case is similar to that of accused person, who have already been granted bail by the coordinate bench of this High Court.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the fact that the applicant is in jail since 04.08.2015 and also the fact that the similarly placed co-accused persons have already been enlarged on bail by this court, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. 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.

9. Certified copy as per rules.

Sd/-

(Goutam Bhaduri)
Judge

Santosh