

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5956 of 2015

1. Roshan Lal S/o Late Paras Ram Satnami Aged About 40 Years
Occupation - Service, R/o Village Chhirhutti, P.S. Lormi, Civil
District Bilaspur & Revenue Distt. Mungeli Chhattisgarh

2. Umend Das S/o Phoolchand R/o Village Chhirhutti, P.S. Lormi,
Civil District Bilaspur & Revenue Distt. Mungeli Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through, S.H.O. Police Station Kota, Distt.
Bilaspur Chhattisgarh

---- Respondent

For applicants – Shri Awadh Tripathi, Advocate.
For Respondent/State – Shri Om.P. Sahu, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

18/11/2015

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No. 313/2015 registered in Police Station Kota, Distt. Bilaspur (C.G.) for offence punishable under Section 420, 467, 468, 471, 34 of IPC and Section 3 & 4 of Protection of Debtor Act.

2. As per the prosecution case complaint was lodged by one Dewari Lal Yadav that he obtained loan from Punjab National Bank and has deposited signed cheque with the bank as security, however said cheques were stolen by the applicants and sum of Rs.3,81,000/- was inserted and it was used to file complaint under Section 138 of N.I. Act.

3. Learned counsel for the applicants submits that notice to recall the amount was served to the applicant in the year 2013 and thereafter

complaint under Section 138 of N.I. Act was filed neither any reply to the notice was given. He further submits that applicants have been falsely implicated in the case and considering the nature of allegations, they may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Having regard to the fact that for the alleged cheque complaint was filed and the matter is still for adjudication before the court below, considering the nature of allegation and the fact that evidence is in documentary nature, this court is inclined to release the applicants on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicants shall be released on each of them furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for their regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE