

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6857 of 2015

Shivcharan S/o. Mehattar Singh Rathiya, Aged about 40 years, R/o.
Village Choote Pandarmuda, Tahsil Kharsia, Civil and Revenue District
Raigarh (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, out post (Police
Chowki Jobi) Police Station Kharsia, District Raigarh (C.G.)

---- Respondent

For Applicant : Mr. R.V. Rajwade Advocate.
For Respondent : Mr. Ashish Shukla, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

15/12/2015

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. 286/2015 registered at Police Station- Kharsia District Raigarh (C.G.) for the offence punishable under Sections 420,467,471/34 of IPC.
2. As per the prosecution case, the applicant alongwith Ramprasad went to complainant Trilochan Das and asked to provide him *rinpustika* and voter identity and after some time he returned the *rinpustika* to the complainant Trilocha Das. Subsequently, a recovery notice was received by the complainant wherein it revealed that the complainant stood as guarantor of the loan obtained by this applicant for purchase of tractor in connivance with Ramprasad so the offence is committed.

3. Counsel for the applicant submits that the applicant is innocent has been falsely implicated in this case. He further submits that the documents have also been collected and no further investigation is necessary and therefore, he may be enlarged on bail.
4. Per contra state counsel opposes the prayer for grant of bail.
5. Having regard to the fact that the charge sheet in this case has been filed and all the evidence are documentary in nature and further considering the detention of the applicant as she is in jail since 31.10.2015, 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.

Sd/-
(Goutam Bhaduri)
Judge