

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7088 of 2015

Jaysingh Chouhan S/o. Shri Sanatram, aged about 48 years, R/o. Village Bhukel, Thana and Tahsil Basna, Civil and Revenue District Mahasamudn (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station Saraypali, District- Mahasamund (C.G.)

---- Respondent

For Applicant	:-	Mr. Sunil Sahu, Advocate
For Respondent/ State	:-	Mr. Ramakant Mishra Dy. A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

17/12/2015

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. 565/2014 registered at Police Station- Saraypali, District – Mahasamund (C.G.) for the offence punishable under Sections 420,409,467,468 and 471 of IPC.
2. As per the prosecution case, in brief, is that one Sohanlal prepared forged four demand drafts when he was working as Assistant Accountant at Jila Sahakari Kendriaya Bank Maryadit Branch Bhanwarpur. The applicant withdrew an amount of Rs.

36,000,00/- which was payable at Punjab Nation Bank Saraypali.

It is the allegation of the prosecution that this applicant who was also the Clerk of Jila Sahakari Kendriaya Bank Maryadit Branch Bhanwarpur did not make entry in the cash register therefore, he was also liable for the forgery.

3. Counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in this case. He further submits that the entire allegations is on Sohanlal Chouhan and the entire money was withdrawn by him by preparing forged demand draft and in the enquiry it was found that Sohanlal was the sole single handed persons who committed the crime. He further submits that charge-sheet has been filed in this case; therefore, he may be enlarged on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Perusal of the documents would show that primary allegation is on Sohanlal Chouhan for which the enquiry was made and the recommendation was also made for taking action against him. Considering the facts and circumstances of the case, prima facie, it appears that the offence is attributed to Sohanlal who has withdrawn the money from the bank and considering the allegation against this applicant after taking into the fact that applicant is in jail since 03.10.2015, I am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

Santosh