

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 229 of 2016

1. Vijay Kumar, S/o. Sumer Singh, aged about 30 years, R/o. Village Kanak Nagar, Police Station Pratappur, District – Surajpur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Station House Officer, Police Station – Pratappur, District – Surajpur (C.G.)

---- Respondent

AND

M.CR.C. No. 230 of 2016

1. Sumer Singh, S/o. Mahaveer Singh, aged about 60 years, R/o. Village- Kanak Nagar, Police Station – Pratappur, District – Surajpur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Station House Officer, Police Station – Pratappur, District – Surajpur (C.G.)

---- Respondent

For Applicants	: Mr. V.K. Pandey, Advocate
For Respondent/State	: Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

27/01/2016

1. These are the second bail applications filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.16/2015, registered at Police Station – Pratappur, District – Surajpur (C.G.) for the offence punishable under Section 419, 420, 467, 468 and 471 read with Section 34 of the Indian Penal Code. The first bail applications were dismissed as withdrawn with liberty to file afresh after filing of the charge-sheet.

2. Case of the prosecution, in brief, is that one Nadhira prepared a Kishan Credit Card on the basis of the land holding and instead of his brother Shobhnath, who was joint holder affixed the photograph of Vijay and obtained loan, which was identified by the Sumer Singh. The land was obtained in the year 2007 and report was made in the year 2015 that on the basis of forged documents, loan has been obtained.
3. Learned counsels for the applicants would submit that the incident was of the year 2007 and in the year 2008, entire loan was repaid and the applicants are in jail since 22.09.2015. He would further submit that charge-sheet in this case has been filed and no further evidence is required, therefore, the counsel prays that the applicants may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into facts and circumstances of the case, the degree of allegation levelled against the applicants, considering the long period of time lapses, and the evidence in this case are mainly documentary in nature and further taking into the facts that charge-sheet in this case has been filed and applicants are in jail since 22.09.2015, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge