

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C.No.875 of 2016

Devendra Kumar Chaudhary S/o Shri Dharam Singh Chaudhary, Aged 41 years, Caste-Aghariya, R/o Bilai Tangar Mohalla, Patthalgaon, Police Station Patthalgaon, Tehsil Patthalgaon, District Jashpur, Chhattisgarh

---Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Baikunthpur, District Koriya, Chhattisgarh

---Non-applicant

For Applicant	:	Mr. R.S. Marhas, Advocate
For Non-applicant	:	Mr. O.P.Sahu, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

08/03/2016

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.300/2014, registered at Police Station-Baikunthpur, District-Koriya (CG), for the offence punishable under Sections 420, 467, 468 and 471 read with Section 34 of the IPC.

2. Case of the prosecution, in brief, is that Bank of India disbursed the loan of ₹27,59,000/- to ten persons relying upon the documents certified by the present applicant, which were found fake.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that the present applicant is Naib-Tahsildar and Tahsildar Ashish Saxena has been

granted bail by this Court vide order dated 17.3.2015 in M.Cr.C.No.998 of 2015. He would also submit that the applicant is in jail since 27.1.2016 and charge-sheet has already been filed.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature and gravity of the offence, the fact that bail was granted to co-accused Ashish Saxena and the applicant is holding civil post, this Court is of the opinion that present is a fit case, in which, the applicant 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 the applicant shall be released on bail on his furnishing a personal bond in the 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/-

(Sanjay K. Agrawal)
JUDGE

B/-