

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.2156 of 2016**

Ashok Kumar Bagdi, S/o Shri Babulal, Aged about 42 years, R/o-Saakin
Kargi Road, Kota, Police Station-Kota, Tehsil-Kota, District-Bilaspur (CG)

---Applicant

Versus

State of Chhattisgarh Through the Station House Officer, Police Station –
Kota, Tehsil-Kota, District-Bilaspur (CG)

---Non-applicant

For Applicant	:	Mr. Manish Nigam, Advocate
For Non-applicant	:	Mr. Adhiraj Surana, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

26/04/2016

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.355/2010, registered at Police Station-Kota, District-Bilaspur (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 the applicant being Patwari of village Deorikhurd, Kota issued wrong computer generated B1 khasra entries in favour of co-accused Shrawan Nirmalkar by which he obtained a loan of ₹ 50,000/- from Chhattisgarh Gramin Bank and thereby committed the offence.

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 act of the

applicant is bonafide and in departmental enquiry, he has been exonerated. The applicant is in jail since 9.2.2016. Closure report was filed which has not been accepted and cognizance has been taken and he has been taken into custody.

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 & gravity of the offence, role of the present applicant, result of departmental enquiry and taking note of closure report, 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/-