

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.2305 of 2016**

Yugal Kishor wrongly mentioned in the F.I.R. as Jugal Singh S/o Bhola Prasad, Aged 33 years, R/o Village-Dhnaoura, P.S. Pendra, District Bilaspur (CG)

---Applicant**Versus**

State of Chhattisgarh, Police Station-Pendra Chowki Kotmi, District : Bilaspur (CG)

---Non-applicant

For Applicant	:	Mr. Abhishek Sinha, Advocate
For Non-applicant	:	Mr. Adhiraj Surana, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****10/05/2016**

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.56/2016, registered at Police Station-Pendra, Chowki Kotmi, District-Bilaspur (CG), for the offences punishable under Sections 420, 467, 468 and 471/34 of the IPC.

2. Case of the prosecution, in brief, is that co-accused Gulab Shankar had approached to Kamal Sai and told him that he will get him a loan of ₹ 1,00,000/- and thereafter certain documents were signed and ₹ 1,00,000/- was obtained by Gulab Shankar in the name of Kamal Sai though actually it was not received by Kamal Sai and thereby the false personification was made. Likewise, the allegation against co-accused Ravi Shankar is that he along with other accused approached to Tribhuwan to get him loan and when the loan was sanctioned, out of the

first installment of ₹ 40,000/-, ₹ 30,000/- was taken away by him. The aforesaid loan was taken under the scheme of Ant-vyawasayee Yojna.

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 He would further submit that co-accused Gulab Shankar and Ravi Shankar are main accused, who have withdrawn the money from the bank and they have been granted anticipatory bail by co-ordinate Bench of this Court vide order dated 26.4.2016 in M.Cr.C.No.(A) No.301 of 2016. Case of the present applicant is better footing and he is necessarily involved in crime in question. He is in jail since 17.2.2016, charge-sheet has already been filed and no useful purpose will be served by detaining him in jail.

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, his pre-trial detention and the fact that main accused Gulab Shankar and Ravi Shankar have already been granted anticipatory bail by co-ordinate Bench of this Court, 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/-