

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4321 of 2016

- Charan Singh @ Latte Sardar S/O Late Guruvachan Sikhkha Aged About 55 Years R/O Ward No. 15 Near Old Gurudware, Manendragarh, Police Station And Tahsil Manendragarh, District Korea Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Manendragarh, District Korea Chhattisgarh.

---- Respondent

For Applicant : Mr. Satish Chandra Verma, Advocate

For Respondent/State : Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08-08-2016

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 on 26-05-2016 in connection with Crime No. 177 of 2016, registered at Police Station Manendragarh, District Korea (CG) for the offence punishable under Sections 384, 452, 506, 34 of the IPC and Section 4 of the Karja Act.
2. As per prosecution case, a report was made by one Dhanam Das Chawla that 4 years back, he has obtained a loan of Rs.12 lakhs from accused and by way of repayment of loan, he returned Rs. 32,96,000/- with heavy interest. However, the applicant along with other co-accused persons were demanding Rs.45 lakhs and on 17-5-2016 the applicant along with other accused persons entered into the house of complainant, abused him and got certain cheques signed and also threatened him and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated, charge-sheet has been filed in this case, he is in jail since 26-5-2016 and no further investigation is required. He would further submit that similarly placed other co-accused Mukesh Chhattani has been granted bail vide order dated 27-07-2016 passed by this Court in M.Cr.C.No. 4130 of 2016, therefore, the applicant may also be released on bail on the ground of parity.
4. *Per contra*, learned State counsel opposes the prayer for grant of bail, however, he does not dispute the fact that the case of the applicant is similar to the case of co-accused who has been granted bail by this Court.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents.
6. Taking into consideration the facts and circumstances of the case, nature of allegation leveled against the applicant and considering the fact that charge-sheet has been filed, the applicant is in jail since 26-5-2016 and further considering the fact that similarly placed co-accused has been granted bail by this Court, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju