

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2042 of 2016

1. Amit Masih, S/o. Shri Ayub Masih, aged about 31 years, R/o. Pachpedi Naka, Raipur, District-Raipur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : P.S.- Khamtarai, Raipur, District-Raipur (C.G.)

---- Respondent

For Applicant	: Mr. R.K. Kesharwani, Advocate
For Respondent/State	: Mr. Neeraj Sharma, Dy.Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

28/06/2016

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.431/2014, registered at Police Station – Khamtarai, District- Raipur (C.G.) for the offence punishable under Section 201, 420, 467, 468, 471, 120-B, 409 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that a vehicle was registered on 26.04.2012 for which e-challan was deposited of Rs.4,55,847/-. Subsequently, amount did not match and on the basis of e-challan car of one Ganesh Prasad was registered as C.G.-04/HE-0111. Subsequently, e-challan did not match with the treasury challan and on inspection of treasury challan it was recovered that different amount was deducted from the account of this applicant and from the account of one Pravin Kumar Hota. Further it is the case of the prosecution that applicant who was working as RTO agent and used to sit at office and

he alongwith other co-accused has committed such forgery.

3. Learned counsel for the applicant submits that the one accused namely Ashish Agrawal has been enlarged on bail in M.Cr.C. No.7594/2015 vide order dated 14.01.2016 and his case is similar to that of the present applicant as the forgery has not been committed by the applicant, but it was by the cashier, therefore, the counsel prays that the applicant 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.
6. Perused the case diary and the documents. Perusal of the documents prima-facie shows that e-challan was paid which did not match with the treasury challan, therefore, the case of the applicant is similar to that of Pravin Kumar Hota, whose bail application has been rejected. Considering the same and the allegation levelled against this applicant, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge