

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2793 of 2016

Giteshwar Sahu, S/o. Itwari Ram, Aged About 27 Years, R/o. Village Damaru, P.S. City Kotwali Balodabazar, District Balodabazar – Bhatapara Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station Kotwali Balodabazar, District Balodabazar – Bhatapara, Chhattisgarh

---- Respondent

For Applicant : Mr. Raghavendra Pradhan, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14.06.2016

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 in connection with Crime No.367/2015, registered at Police Station Kotwali Balodabazar, District Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 466, 467, 468, 472, 474/34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the present applicant along-with other co-accused was found making attempt to get the loan sanctioned on the basis of fake and forged documents.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has been falsely implicated in the crime in question. He would further submit that he is simply villager and forgery has been committed by co-accused Rajkumar @ Raju Sahu. The present applicant has not gained anything and

charge sheet has already been filed. He further submits that the similarly placed co-accused have been enlarged on bail by the co-ordinate Bench of this Court in M.Cr.C. No.1155 & 2211 of 2016 and the case of the present applicant is also similar to them, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Taking into consideration the facts & circumstances of the case, nature & gravity of offence, role of the present applicant, his pre-trial detention, the fact that charge sheet has already been filed and bail was granted to the other co-accused in M.Cr.C. No.1155 & 2211 of 2016, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. 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/-
(Goutam Bhaduri)
Judge