

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3649 of 2016

Mukesh Kumar Kurre, S/o. Shri Sammat Ram Kurre, Aged About 38 Years, R/o. Village Binouri, Post Pachpedi, P.S. Masturi, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through S.H.O. Police Station City Kotwali, Bilaspur, District Bilaspur, Chhattisgarh

---- Respondent

For Applicant : Ms. Meena Shastri, Advocate

For Respondent : Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19.07.2016

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.109/2015 registered at Police Station- City Kotwali Bilaspur, District Bilaspur (C.G.) for the offence punishable under Section 420, 467, 468, 471, 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by one Ratnu that by false personification on his place one Budhram @ Chhechhat obtained a loan of Rs.3,00,000/- from the Bank of India and initially on investigation Budhram and Shivkumar who is Kotwar of the village was arrested and on the memorandum, this applicant has been inculpated on the ground that he was involved in commission of crime as Rs.10,000/- was paid by the present applicant to the other co-accused and this applicant is the main accused who has prepared the forged documents.

3. Learned counsel for the applicant would submit that only on the basis of the memorandum statement of the co-accused, this applicant has been inculpated and no documentary evidence has been seized from the possession of this applicant and the main allegation is against Chhechhat and except the memorandum no further evidence is available. She further submits that the charge sheet has been filed and no further investigation is necessary, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case and taking into fact that the applicant has been inculpated only on the memorandum statement of the co-accused, without any observation on merit, I am inclined to release the applicant 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