

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5036 of 2016

- S. C. Dhoke S/o Late Bhadru Aged About 59 Years Caste Marathi, R/o Bhadrapara Balko, Sector 6, Near State Bank, Balko Nagar Korba, Tahsil & District Korba, Chhattisgarh.
--- Applicant

Versus

- State of Chhattisgarh Through Police Station Rampur, Korba, Police Station Kotwali Korba, District Korba, Chhattisgarh. ----
Respondent

For the applicant	:	Mr. Vimlesh Bajpai, Advocate
For the Respondent	:	Mr. Neeraj Sharma, Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

19.09.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 230 of 2016 registered at P.S. Kotwali Korba (C.G) for the offence punishable under Section 420 & 406 IPC.
2. As per the prosecution case, the complainant was granted loan of Rs.3 lakhs from Antyovyavsai Sahkari Vikas Samiti, Korba which was disbursed in two instalments and and when the first instalment of Rs.1,50,000/- was disbursed, the applicant received an amount of Rs.50,000/- from the complainant on the pretext that he will get him subsidy. Thereafter again when the second instalment was disbursed, the applicant got certain signatures on blank cheques and withdrew the amount of Rs.40,000/- from the account of complainant thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and it was an inter-se

money transactions between the applicant and complainant. He further submits that the charge sheet has been filed and no further investigation is necessary, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and other documents.
6. Considering the totality of facts and circumstances of the case especially the fact that the charge sheet has been filed and looking to the degree of allegations leveled against the applicant, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE