

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5888 of 2016

- Rewaram Nishad S/O Arjun Nishad Aged About 42 Years R/O Village - Rasouta, Police Station - Arang, Tahsil - Arang, District (Revenue & Civil) - Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station - Arang, District Raipur Chhattisgarh

---- Respondent

For Applicant : Mr. Yogesh Pandey, Advocate

For Respondent/State : Mr. Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28-09-2016

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 1-5-2016 in connection with Crime No. 161 of 2016, registered at Police Station Arang, District Raipur (CG) for the offence punishable under Sections 420, 467, 468, 471/34 of the IPC.
2. Case of the prosecution, in brief, is that the applicant in connivance with other co-accused had obtained a loan amounting to Rs.80,000/- from Dena Bank, Samoda and in order to avail the loan he submitted forged B-1, Kishibandi Khatouni and Patwari report in the bank and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that from the statement of Branch Manager which has been admitted it would reveal that entire transaction was made by one Kamlesh Kumar who submitted all the

documents to get the loan. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 1-5-2016 and no further investigation is required, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and other documents.
6. Taking into consideration the facts and circumstances of the case and further considering the fact that charge-sheet in this case has been filed and the applicant is in jail since 1-5-2016, this court is 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