

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6463 of 2016

Rashid Ladle Sahab Momin, S/o. Yashim Ladle Sahab Momin, Aged About 47 Years, R/o. House No.19, Jahangir Milkawali Colony, Behind Commissioner Office, Shahi Bag, Ahmadabad (wrongly mentioned as Ahmabad) Gujrat.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station City Kotwali, Raipur, District Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. V.R.Tiwari, Advocate

For Respondent : Mr. Sangharsh Pandey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

06.12.2016

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.238/2016 registered at Police Station- City Kotwali Raipur, District Raipur (C.G.) for the offence punishable under Section 420, 467, 468, 471, 511 of Indian Penal Code.
2. As per the prosecution case, a report was made by Nagendra Tiwari of Ashutosh Engineering Industries that he is having an Account in SBI Commercial Branch have received a phone call from the Bank that they have issued a cheque of Rs.99,99,800/- in favour of one Vijay Bhai, which was denied. Subsequently, a report was made and it was revealed that the said cheque was deposited at Ahmadabad and the present applicant has handed over the cheque which was forged.
3. Learned counsel for the applicant would submit that the applicant has wrongly been inculpated and bald allegation has been made

against the present applicant and it is only alleged that he has handed over the cheque, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the documents. The case diary shows that different cheques were deposited in the Bank of Mijoram, Sonpath and one at Ahmadabad and the complaint is with respect to Ahmadabad. Considering the statement of Tushar Kumar Joshi and the way the offence has been committed, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Ashok

Sd/-
(Goutam Bhaduri)
Judge