

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7309 of 2016

1. Abhishek Yadav S/o Late Ajay Yadav Aged About 30 Years R/o Behind Sharda Talkies, Gauli Para (Wrongly Mentioned In The Order Sheet As Motipara), Police Station Durg, Tahsil Durg, Civil & Revenue District Durg Chhattisgarh.
2. Nehru Chandrakar S/o Munna Lal Chandrakar Aged About 32 Years R/o Panchsheel, Steel Club Ward (Panchsheel, Steel Club Ward Is Not Mentioned In The Order Sheet), Mahasamund, Police Station Mahasamund, Tah. Mahasamund, Civil & Revenue District. Mahasamund Chhattisgarh

--- Applicants

Versus

- State of Chhattisgarh through Police Station Supela, Bhilai, Tah. Durg, Civil & Revenue District Durg Chhattisgarh

--- Respondent

For the applicants : Mr. Y.C. Sharma, Advocate
For the Respondent : Mr. Anupam Dubey, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

22.11.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 436 of 2011 registered at P.S. Supela, Bhilai Distt. Durg (C.G) for the offence punishable under Section 420/34 of IPC.
2. As per the prosecution case, a report was made by one Pankaj Dubey, Branch Manager of Shri Ram Transport Finance Company that the present applicants who was working as Field Executives had falsely verified certain documents of RTO and the particulars of borrowers & guarantors before sanctioning loans by the Company to purchase vehicles and gave positive report and on that basis the Company had made finance of the vehicles to different borrowers. Subsequently when the loan was not repaid, it was found that the

verification of the vehicles by RTO Agent and the verification of details of borrowers and guarantors were fake.

3. Learned counsel for the applicants would submit that the applicants have been falsely implicated and after sanction of loan, certain instalments have been paid by the loanees towards repayment of loans. He further submits that only after completion of loan sanction process, the borrowers have received the amounts and purchased the vehicles, therefore, the applicants have not committed any offence of forgery. He further submits that the charge sheet in this case has been filed; no further investigation is necessary and the applicants are in jail since 24.10.2016, therefore, they may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and other documents.
6. Taking into the nature of allegations levelled against the applicants and the evidence available in this case is documentary in nature as also the facts that the charge sheet in this case has been filed; no further investigation is necessary and the applicants are in jail since 24.10.2016, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed by the said Court.

C.c. today.

Sd/-

**GOUTAM BHADURI
JUDGE**