

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7423 of 2016

- Vishnuram Nishad S/o Kavilash Nishad Aged About 31 Years R/o - Village - Soram, Post Office & Police Station - Rudri, Tahsil & District - Dhamtari Chhattisgarh Present R/o - Tirupati Auto Agency, Arjuni, Post Office & Police Station - Arjuni, Tahsil & District - Dhamtari Chhattisgarh

---- **Petitioner**

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station - Arjuni, District Dhamtari Chhattisgarh

---- **Respondent**

For Applicant : Mr. Shivendu Pandya, Advocate

For Respondent/State : Mr. Anil S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

30-11-2016

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 17-10-2016 in connection with Crime No. 245 of 2016, registered at Police Station Arjuni, District Dhamtari (CG) for the offence punishable under Sections 420, 467 and 468 of the IPC.
2. Case of the prosecution, in brief, is that the applicant who was working as a Branch Manager in Tirupati Auto Agency, Dhamtari where complainant Thakuram Sahu purchased Motor-cycle Bajaj Discover, had given insurance policy to the applicant. Incidentally, the motor-cycle met with an accident after two months. Thereafter, claim case was filed and insurance policy when was produced was found to be fake and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case and the insurance policy was not fake and it was not issued by him. It is further submitted that the applicant shall make all efforts to settle the issue. He would further submit that the offence is triable by the Magistrate, charge-sheet has been filed in this case, the applicant is in jail since 17-10-2016 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, nature of allegations leveled against the applicant and further considering the fact the evidence appears to be documentary in nature and also the fact that charge-sheet in this case has been filed and the applicant is in jail since 17-10-2016, 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

