HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7711 of 2016

Rupinder Singh, S/o. Harvan Singh, Aged About 38 Years, R/o. Village- Khandur Sahab, Police Station- Goendwal, District- Amritsar (Punjab)

---- Applicant

Versus

State Of Chhattisgarh, Through: Station House Officer, Police Station Chhuriya, District- Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant : Mr. B.P.Singh, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19/12/2016

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.159/2016 registered at Police Station- Chhuriya, District Rajnandgaon (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 34, 201 of Indian Penal Code.

2. Case of the prosecution, in brief, is that the applicant who was Driver of the Truck bearing No.C.G.04 HT 8514 was going from Raipur to Surat and at Potekohra, R.T.O., he produced a receipt of Rs.12,000/- which was found to be forged and subsequently it was revealed that the receipt was purchased by the present applicant for an amount of Rs.500/- which was supplied by Harendra Deshmukh and others.

3. Learned counsel for the applicant would submit that the applicant is the victim and he has paid the amount and he was not knowing the fact that it was forged receipt as he is Driver and he is not the

author of the forged receipt. He further submits that the charge sheet has been filed and the applicant is in jail since 13.07.2016, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary and the documents. The charge sheet has been filed. The applicant appears to be Driver and the document shows that the receipt which procured was found to be forged. Taking into the role played by the present applicant and considering the period of detention and the fact that the charge sheet has been filed, I am inclined to release the applicant on bail.

6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.

7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge

Ashok