

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 6833 of 2017**

1. Ramkumar, S/o. Ramadhin, Aged About 33 Years, R/o. Village Biramtal, Outpost Basdei, District -Surajpur, Chhattisgarh
2. Parmeshwar Kumar, S/o. Ramnaresh Sahu, Aged About 23 Years, R/o. Anjokhurd, Police Station -Patna, Tahsil Baikunthpur, District -Korea, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Of Police Station Patna, District Korea, Chhattisgarh

---- Respondent

For Applicants : Mr. Anil Gulati, Advocate

For Respondent/State : Mr. O.P. Sahu, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**11/12/2017**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants, who have been arrested in connection with Crime No.201/2017, registered at Police Station – Patna, District – Korea (C.G.) for the offence punishable under Section 380, 467, 458, 471, 420, 467, 468 of the Indian Penal Code.

2. It is submitted by the learned counsel for the applicants that applicants have been falsely implicated in this case. The case against the applicants is triable by Judicial Magistrate First Class. The applicant No.1 is in jail since 26.09.2017 and the applicant No.2 is in jail 12.10.2017. Further the compromise has been arrived at between the complainant and the applicant on account of which, the victim – Panne Lal, S/o. Ram Prasad had given no objection with affidavit, before the Sessions Court, which was not taken into consideration, hence on these grounds, it is prayed that the applicants be benefited with grant of regular bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. The facts of the case are that two cheques from the cheque book of the complainant- Panne Lal were stolen. It is alleged that the applicants forged the signature of the account holder – Panne Lal on the stolen cheque and withdrew an amount of Rs.3,70,000/- from his bank account. Discovering about this withdrawal of amount from his account, FIR has been lodged on the basis of which, case has been registered and applicants have been arrested and detained.
6. Considered the submissions made and the contents of the case diary. The statement of no objection made by the complainant is mentioned in the order passed by the trial Court as well. Taking into consideration this fact that the applicants are local resident, their availability before the trial Court can be ensured by imposing conditions and no purpose

would be served, if the, applicants are kept in detention till the conclusion of trial, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicants shall be released on bail on each of them 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/-
(Rajendra Chandra Singh Samant)
Judge