

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 6324 of 2017**

1. Puken Verma S/o Harprasad Verma, Aged About 28 Years R/o Sukrikala, Tahsil Damdha, P.S. Bori, Tahsil & District Durg, Chhattisgarh
2. Agen Verma S/o Goverdhan Verma, Aged About 22 Years R/o Village Arsi, Tahsil Damdha, P.S. Bori, Tahsil & District Durg, Chhattisgarh

**---- Applicants****Versus**

State Of Chhattisgarh Through P.S. Bori, District Durg, Chhattisgarh

**----Non-applicant**

|                |   |                                 |
|----------------|---|---------------------------------|
| For Applicants | : | Mr. P.R. Patankar, Advocate     |
| For State      | : | Mr. Gary Mukhopadhyay, Dy. G.A. |

**Hon'ble Shri Justice P. Sam Koshy****Order on Board****28/11/2017**

1. This is an application filed under Section 439 Cr.P.C. for grant of bail to the applicants, who have been arrested in connection with Crime No. 50/2017 registered at Police Station Bori, District Durg, Chhattisgarh for the offence punishable under Sections 420, 467, 468, 471/34 of I.P.C.
2. The present applicants are in jail since 19.06.2017 in connection with the aforesaid Crime number.
3. The allegation against the present applicants is that the present applicants are said to have fabricated documents and helped one Akhilesh Patel in getting loan from Dena Bank towards purchase of a Tractor. The fabrication of the documents was to the extent that though the complainant had a land of only 5 acres, but the documents were so created that shows the area of the land in

possession of the complainant Akhilesh Patel to be of 13 acres, with which he could obtain the bank loan.

4. The counsel for the applicants submits that it is a case where whatever loan was obtained by the Akhilesh Patel, the present applicant No.1 has already cleared the dues of the Dena Bank and the Tractor also is in possession of the Akhilesh Patel. Considering the facts and circumstances of the case, the present applicants may be released on bail.
5. The State counsel however opposes the bail application on the ground that both the present applicants have created fabricated documents with which the loan amount was sanctioned to the complainant Akhilesh Patel, thus the acts on the part of the present applicants are serious in nature and therefore prayed for rejection of the bail application.
6. Considering the facts and circumstances of the case, it appears that the dispute arose when the complainant Akhilesh Patel is said to have issue a cheque to the applicant No.1 towards the clearance of the bank loan and the said cheque having got dishonoured, the applicant No.1 could have initiated proceedings under the provisions of Negotiable Instruments Act.
7. Considering the facts and circumstances of the case, this Court is of the opinion that prima facie it is a fit case, where both the applicants can be released on bail. Accordingly, the present application for grant of bail is allowed.
8. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety

each in the like sum to the satisfaction of the concerned Court for their appearance before the said Court as and when directed.

Sd/-  
**(P. Sam Koshy)**  
**Judge**

Ved