

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 161 of 2017

- Ghanaram Yadav S/o Late Jogiram Yadav Aged About 35 Years R/o Village Labhrakhurd, Police Station City Kotwali Mahasamund, Tahsil & District Mahasamund, Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through Station House Officer, Police Station Mahasamund, District Mahasamund, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Gurudeo Sharan, Advocate
For the Respondent	:	Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

30.01.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 146/2016 registered at Mahasamund, District Mahasamund (C.G) for the offence punishable under Sections 420, 467, 468, 471/34 of IPC.
2. As per the prosecution case, the applicant along-with other accused namely Naresh Dhiwar has prepared second copy of the account book of one Gulab Ram and withdrawn an amount of Rs.1,05,000/-.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and he is physically disabled person to the extent of 45%. He further submits that the entire amount has been deposited in the bank account of the complainant on 23.09.2015 and there has been some monetary transaction between the parties and false allegations have been levelled, therefore, he may be

enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the documents as also the deposit slip which shows that the entire amount of Rs.1,05,000/- has been deposited in the bank account at the Bank.
6. Taking into fact that the amount has been deposited in the account of complainant and the applicant appears to be a person of physically handicapped to the extent of 45%, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-

GOUTAM BHADURI
JUDGE