

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 514 of 2017

- Dhirendra Mehar S/o Jagannath Mehar, Aged About 30 Years R/o Village- Gadumariya, Thana- Pussore, District- Raigarh, Chhattisgarh.
----- **Petitioner**

Versus

- State of Chhattisgarh through Police Thana- Kharsiya, District Raigarh, Chhattisgarh.
--- **Respondent**

For the applicant	:	Mr. Sanjay Agrawal, Advocate
For the Respondent	:	Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

23.01.2017

1. This is third 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. 371/2015 registered at P.S. Kharsiya, Distt. Raigarh (C.G) for the offence punishable under Sections 420, 467, 468, 471, 120-B/34 of IPC.
2. The first bail application was dismissed on 10.12.2015 on merits and the subsequently bail application was dismissed on 14.09.2016 on the same footing.
3. As per the prosecution case, on 11.05.2015 Monnet Ispat Energy issued a cheque of Rs.8,045/- in favour of Sahu Painting Works in which figures "70" was added before 8045 and the amount of cheque was shown as Rs.708045/- and thereafter the cheque was deposited in the Bank. One co-accused Kishore Kumar Sahu deposited the said cheque in his account and an amount of Rs.1,44,000/- was withdrawn

by another accused Set Ram Patel.

4. Learned counsel for the applicant would submit that earlier the computer report with respect to altercation of figures in the cheque has not come and now since the report would show that there is no evidence against the applicant that he has manipulated the cheque, therefore, the applicant may be enlarged on bail.
5. Per contra, learned State Counsel opposes the bail.
6. Perused the earlier bail rejection orders whereby the earlier bail applications were dismissed on merits. At this stage, it would not be appropriate for this Court to adjudicate the case on merits by giving a finding as it will amount to usurping power of trial Court. Therefore, I am not inclined to allow this bail application. Accordingly, it is rejected.
7. However, the trial Court is requested to expedite the trial within four months.

Sd/-

**GOUTAM BHADURI
JUDGE**