

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1635 of 2017

- Devanand Khandekar S/o S/o Fagua Khandekar, Aged About 55 Years R/o Butra Bhanvar, Police Station - Mulmula, District- Janjgir - Chamapa, Chhattisgarh.

---- **Petitioner**

Versus

- State Of Chhattisgarh Through, Station House Officer, Police Station- City Kotwali Baloda Bazar, , District- Baloda Bazar - Bhatapara , Chhattisgarh.

---- **Respondent**

For Applicant : Mr. Amiyakant Tiwari, Advocate

For Respondent/State : Mr. Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

23-03-2017

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 on 11-2-2017 in connection with Crime No. 367 of 2015, registered at Police Station City Kotwali, Baloda Bazar- Bhatapara (CG) for the offence punishable under Sections 466, 467, 468, 472, 474 of IPC.
2. As per prosecution case, the present applicant along with other co-accused was found making attempt to get the loan sanctioned on the basis of fake and forged documents.
3. Learned counsel appearing for the applicant would submit that the applicant has not committed any offence and he has been falsely implicated, in the crime in question. He would further submit that he is simply villager and forgery has been committed by co-accused Rajkumar @ Raju Sahu. The present applicant has not gained anything

and charge-sheet has been filed in this case, he is in jail since 11-2-2017. He would further submit that the case of the present applicant is similar to that of other co-accused namely Giteshwar Sahu who has been granted bail vide order dated 14-6-2016 passed by this Court in M.Cr.C.No. 2793 of 2016, therefore, the present applicant may also be released on bail on the ground of parity.

4. *Per contra*, learned State counsel opposes the prayer for grant of bail, however, he is not able to dispute the fact that the case of the applicant is similar to that of other co-accused who has been granted bail by this Court.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents.
6. Taking into consideration the facts and circumstances of the case, nature of allegation leveled against the applicant and considering the fact that charge-sheet has been filed, the applicant is in jail since 11-2-2017 and further considering the fact that similarly placed other co-accused has been granted bail, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on his 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/-
(Goutam Bhaduri)
Judge

Raju