

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3302 of 2017

- Dilip Kumar S/o Murli Ram Sahu, Aged About 32 Years R/o Club Chowk Basantpur, Rajnandgaon, Civil & Revenue District Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Kotwali, Rajnandgaon, Chhattisgarh.

---- Non-applicant

For Applicant – Shri Sameer Singh, Advocate.
For Non-applicant/State – Shri Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Chandra Bhushan Bajpai
Order on Board

04-07-2017

1 Heard the matter finally.

2 This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 32/2017 Registered in Police Station Kotwali, Distt. Rajnandgaon, Chhattisgarh for the offence punishable under Sections 420, 467, 468, 471, 419, 201/34 of IPC.

3. Learned Counsel for the applicant submits that the applicant has been arrested on 17.04.2017, after investigation, concerned Police had filed charge sheet against total two accused persons which is pending as Criminal Case No. 1060/2017 before CJM, Rajnandgaon. There is no specific allegation against the applicant and his role is not assigned and whatever falsely fabricated documents were deposited which were not belonged to the applicant. The applicant will not commit any offence in future, hence, he may be granted bail.

4. Per contra, learned counsel for the respondent/State opposes the bail application and would submit that the applicant and co-accused Murli Ram, the father of the applicant, prepared and deposited forged documents regarding the land which belongs to one Yogesh Sahu, after affixing the photograph of

the applicant in the said application, applied for loan and also submitted false and fabricated IDs ration card, Pan-card with the said application alongwith the signature of the applicant and on the basis of that, State Bank of India Rajnandgaon branch has granted a loan of Rs. 5 lakhs, which was taken by both the accused persons and was not repaid. Applicant is also involved in another Crime No. 27/17 under Sections 420, 467, 468, 471, 419 & 201/34 of IPC for the similar type of offence for taking a loan of Rs. 5 lakhs more by impersonation of the applicant as Yogesh Sahu and also affixed the false and fabricated document regarding IDs Ration Card, Pan-card in the said application the applicant has affixed his photograph. In the said matter the loan of Rs. 5 lakhs was also sanctioned by Panjab National Bank and the same was taken by both the accused including the applicant and same was not repaid. Hence, considering the criminal antecedent of the applicant, instant bail application may be dismissed.

5. Perused the entire material.

6. On due consideration of the entire evidence collected against the applicant by the Concerned authority and looking to the fact that the offence is serious in nature, the applicant has impersonated as Yogesh Sahu and completed all the formalities and taken the loan, and also considering the criminal antecedent, I am not inclined to grant bail to the applicant.

7. Accordingly, bail application filed under Section 439 of the Cr. P.C. is hereby dismissed.

Sd/-

(Chandra Bhushan Bajpai)
Judge