

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4104 of 2017

Ramgopal Sahu S/o Late Ghasiram Sahu, Aged About 62 Years R/o Gram Hardi, Police Station Balauda, District Janjgir Champa, Chhattisgarh. Retd. Bank Manager, Gramin Bank, Magarlod, District Dhamtari, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Magarlod, District Dhamtari, Chhattisgarh.

---- Respondent

And

MCRC No. 4559 Of 2017

1. Kishan Dewangan S/o Rohit Dewangan, Aged About 24 Years R/o Village Gadhadih, Police Station Magarlod, District- Dhamtari, Chhattisgarh.
2. Chaitram Gada, S/o Chhinauram Gada Aged About 55 Years R/o Village Budharab, Police Station Magarlod, District- Dhamtari, Chhattisgarh.

---- Applicants

Vs

State Of Chhattisgarh Police Station Magarlod, District- Dhamtari, Chhattisgarh.

---- Respondent

And

MCRC No. 4745 Of 2017

Omprakash Rawat S/o Shri Ajeet Ram Rawat, Aged About 25 Years R/o Village Budharao, Tahsil & Police Station Magarload, District Dhamtari, Chhattisgarh.

---- Applicant

Vs

State Of Chhattisgarh Through Police Station Magarload, District Dhamtari, Chhattisgarh.

---- Respondent

Shri Rajkumar Gupta, Smt. Renu Kochar and Shri Kaushal Yadav, counsel for the applicant/s.
Shri Satish Gupta, Govt. Advocate for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

20/11/2017

Heard.

The applicants have been arrested in connection with Crime No.36/2017 registered at Police Station – Magarload, District – Dhamtari CG) for alleged commission of offences under Section 420, 467, 468, 471, 256, 201, 120-b, 34 of IPC.

2. Case of the prosecution is that the applicants are beneficiary of the fraudulent practice under which the main accused – Vijay prepared certain revenue papers in the name of complainants which were presented by the applicants -Kishan Dewangan, Chaitram Gada and Omprakash Rawat before the bank to obtain loan and the co-accused – Ramgopal Sahu, the bank manager, is alleged to have involved in sanctioning these loans without properly verifying the identity of the applicants.

3. Learned counsel for the applicants submit that in the present case, investigation is complete, charge sheet has been filed and the applicants are not likely to abscond or tamper with the prosecution witnesses. He further submits that as far as the bank manager is concerned, he acted bonafide on the face of the applications received by him. It is further submitted that looking to the amount alleged to have taken by each of the applicants, at this stage, they may be granted bail with appropriate conditions.

4. On the other hand, learned State counsel opposes bail application and submits that looking to the nature of allegations, the applicants may not be granted bail, else, they may hamper the proceedings of trial or tamper with the prosecution witnesses.

5. Taking into consideration the submission of learned counsel for the parties, perusal of the case diary, the applicants alleged to have taken loan by the bank and the role of the bank manager, in the absence of there being any material that in the

event of grant of bail, the applicants are likely to abscond or tamper with the prosecution witnesses, I am inclined to grant bail to the applicants.

6. Accordingly, all the applications are allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- along with one surety for the like amount to the satisfaction of the Trial Court. They shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge