

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5199 of 2017

Khurshid Aalam S/o Mo. Firoj, aged about 25 years, Occupation – Agriculture, R/o Village Aara (Balrampur), Thana – Rajpur, District Balrampur – Ramanujgunj, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station - Batouli, District - Surguja, Chhattisgarh.

---- Respondent

For Applicant : Mr. Sachin Singh, Advocate

For Respondent : Mr. Anil S Pandey, Govt. Advocate

Hon'ble Shri Justice Ram Prasanna Sharma

Order On Board

24/11/2017

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 in connection with Crime No. 90/2015 registered at Police Station- Batouli, District - Surguja (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 120 – B read with section 34 of the IPC.
2. As per the prosecution case, three cheques bearing No. 273617, 273620 and 273623 were stolen from Janpad Panchayat, Batouli in the month of January 2015. By the said cheques amount of Rs. 27 lakhs were deposited after forging signature of Chief Executive Officer of Janpad Panchayat. The amount so deposited was transferred from account of NGO to the private accounts wherein the applicant and other persons were benefited and they have withdrawn the amounts.

3. Counsel for the applicant submits that apart from merits of the case the applicant is in jail since 18.04.2016 and two co-accused have been enlarged on bail. So the present applicant may be extended the benefit of bail and he may be enlarged on bail.
4. On the other hand Learned Counsel for the State opposes the bail application.
5. Taking into consideration that the applicant is involved in forging the cheques and again amount is withdrawn by him for his interest, it is not a fit case where the applicant should be enlarged on bail. His case is not similar to the case of the co-accused persons.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is rejected.

Sd/-
(Ram Prasanna Sharma)
Judge

Yasmin