

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7123 of 2017**

- Abdul Sami Khan S/o Abdul Karim Khan, Aged About 38 Years R/o Jai Jawan Society, Wanwadi P.S. Wanwadi Distt. Pune (M.H.) Wrongly Mentioned As Jai Jawan Society Banodi P.S. Vanvedi Distt. Pune (M.H.) Presently R/o Mukam Boriyakala Housing Board Colony, House No. R/ Wood/110, P.S. Sejbahar, Distt. Raipur, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through The District Magistrate, Raipur, District Raipur, Chhattisgarh

---- Respondent

For Applicant	:	Shri Kshitij Sharma, Advocate
For Respondent-State	:	Shri Ashish Shukla, Dy. AG for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****15/12/2017**

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 13.06.2017 in connection with Crime No. 232/2017 registered at Police Station Tikrapara, District- Raipur (CG) for the offence punishable under Sections 420, 467, 468, 471 R/w 34 of the I.P.C.
2. As per the prosecution case, the present applicant personified himself as Kamta Pal and obtained the loan for purchasing a Washing Machine and a Refrigerator from Baja Finance for an amount of Rs.39150/-. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the charge-sheet in this case would show that the loan amount of Rs.39150/- in totality has been shown

but the actual loan amount was of Rs.26100/- and the loan agreement was unsigned, therefore, no allegation can be attributed to the present applicant and he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Considering the facts circumstances of this case, without any observation on merits, I am inclined to release the applicant on bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri

Judge

Ashu