

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8487 of 2016

- Dipak Kumar Alias Lala Swarnakar S/o Narsingh Swarnakar Aged About 30 Years R/o Village Tamnar, Tehsil & Police Station Tamnar, District Raigarh, Chhattisgarh.

---- **Petitioner**

Versus

- State Of Chhattisgarh Through The Officer-In-Charge, Tamnar Police Station, District Raigarh, Chhattisgarh.

---- **Respondent**

For Applicant : Mr. Rakesh Thakur, Advocate

For Respondent/State : Mr. Anil S. Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

09-01-2017

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 25-10-2016 in connection with Crime No. 239 of 2016, registered at Police Station Tamnar, District Raigarh (CG) for the offence punishable under Section 420, 468/34-B of the IPC.
2. Case of the prosecution, in brief, is that on 23-10-2016 a report was made by the complainant that the present applicant along with co-accused persons projecting themselves as officers of Jila Sahkari Bank, obtained Rs.560/- each from 11 persons to provide them loan and distributed them cheques of HDFC Bank which were found to be forged.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case, only bald

allegations have been attributed against the applicant, applicant was running a grocery shop, therefore, false impersonation cannot be ruled out. It is further submitted that charge-sheet has been filed in this case, the applicant is in jail since 25-10-2016 and no further investigation is required, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and other documents.
6. Perused the statements of the witnesses in which no direct allegations have been attributed to the present applicant.
7. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicant and further considering the fact statements of the witnesses and also the fact that charge-sheet in this case has been filed and the applicant is in jail since 25-10-2016, I am inclined to release the applicant on bail.
8. 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