

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 99 of 2017**

Naresh Dhiwar, S/o. Shri Munnulal Dhiwar, Aged About 32 Years, R/o. Village Labhrakhurd, Thana City Kotwali, Tahsil Mahasamund, Civil & Revenue District Mahasamund, Chhattisgarh.

**---- Applicant**

**Versus**

State Of Chhattisgarh, Through Station House Officer, Police Station City Kotwali Mahasamund, District Mahasamund, Chhattisgarh.

**---- Respondent**

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For Applicant : Mr. Sumit Shrivastava, Advocate

For Respondent : Mr. Neeraj Jain, Govt. Advocate  
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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**06/02/2017**

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.146/2016 registered at Police Station- City Kotwali Mahasamund (C.G.) for the offence punishable under Section 420, 467, 468, 471/34 of the Indian Penal Code.
2. As per the prosecution case, the applicant alongwith other accused namely Ghanaram Yadav have prepared second copy of the account book of one Gulab Ram and withdrawn an amount of Rs.1,05,000/-.
3. Learned counsel for the applicant would submit that they have deposited the entire amount and on that basis the other co-accused Ghanaram Yadav has been enlarged on bail on 30.01.2017 in MCRC No.161 of 2017; therefore, the present applicant may also be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he do not dispute the fact that the other co-accused Ghanaram Yadav has been enlarged on bail.
5. Taking into fact that the amount has been deposited in the account of the complainant and further considering the fact that the other co-accused has been enlarged on bail, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-  
**(Goutam Bhaduri)**  
Judge