

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 127 of 2017

Sunil Patel, S/o. Janakram Patel, Aged About 31 Years, R/o. Village Piperkhuta, Thana & Tahsil Baramkela, Civil & Revenue District Raigarh, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through The Police Station House Officer, Chakradharnagar, District Raigarh, Chhattisgarh

---- Respondent

And

MCRC No. 125 of 2017

Sunil Patel, S/o. Janakram Patel, Aged About 31 Years, R/o. Village Piperkhuta, Thana & Tahsil Baramkela, Civil & Revenue District Raigarh, Chhattisgarh.

---- Applicant

Vs

State Of Chhattisgarh, Through The Police Station House Officer, Chakradharnagar, District- Raigarh, Chhattisgarh.

---- Respondent

And

MCRC No. 114 of 2017

Sunil Patel, S/o. Janakram Patel, Aged About 31 Years, R/o. Village- Piperkhuta, Thana & Tahsil- Baramkela, Civil & Revenue District- Raigarh, Chhattisgarh.

---- Applicant

Vs

State Of Chhattisgarh, Through The Police Station House Officer, Chakradharnagar, District- Raigarh, Chhattisgarh.

---- Respondent

And

MCRC No. 117 of 2017

Sunil Patel, S/o. Janakram Patel, Aged About 31 Years, R/o. Village- Piperkhuta, Thana & Tahsil- Baramkela, Civil & Revenue District- Raigarh, Chhattisgarh.

---- Applicant

Vs

State Of Chhattisgarh, Through The Police Station House Officer, Chakradharnagar, District- Raigarh, Chhattisgarh.

---- Respondent

For Applicant : Mr. Kamal Kishore Patel, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

23.01.2017

1. All the bail applications are decided by this common order, as they are arising out of the same offence.
2. These are the second 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.319/2016, 316/2016, 317/2016 & 318/2016 registered at Police Station- Chakradharnagar, District Raigarh (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 120-B, 511, 34 of Indian Penal Code. The earlier bail application was dismissed as withdrawn on 22.11.2016 with liberty to repeat the same after filing of the charge sheet.
3. As per the prosecution case, a complaint was made by Laxmi Prasad, Hariram, Goverdhan, Basantram & Tikaram that on the basis of the forged Rin-pustika and Revenue papers i.e. Khasra & B1, the present applicant tried to obtain loan from the HDFC Bank under KCC; though the said loan application was never submitted by the proposed loanee. Thereby, the offence has been committed.
4. Learned counsel for the applicant would submit that at the instance of the complainant himself, the loan application was presented but subsequently since interest rate was higher, the proposed loanee backed out and they did not avail the loan and thereafter, the report was made. He further submits that these are the second bail applications, the first bail applications were dismissed as withdrawn with liberty to repeat after filing of the charge and now the charge sheet has been filed and no further investigation is necessary, therefore, the applicant may be released on bail.

5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. Perused the case diary and the documents. Considering the facts and circumstances, nature of allegation and the fact that all the evidence appears to be documentary in nature and further considering the fact that the charge sheet has been filed and the applicant is in jail since 30.09.2016, I am inclined to release the applicant on bail.
7. Accordingly, all the bail applications filed under Section 439 of Cr.P.C. are allowed.
8. It is directed that the applicant shall be released on bail on 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.

Sd/-
(Goutam Bhaduri)
Judge