

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 564 of 2017

- Deepak Kumar Mali S/o Late Ramkrishna Mali, Aged About 48 Years
R/o Purana Police Line, Raigarh, Tahsil And District- Raigarh, Civil
And Revenue District- Raigarh Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through Thana In Charge, Chakradhar Nagar,
District- Raigarh Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Rajendra Tripathi, Advocate
For the Respondent	:	Mr. Anil S. Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

06.02.2017

1. This is 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. 320/2016, 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.
2. 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.
3. Learned counsel for the applicant would submit that at the instance of the complainant, the loan applications were 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 He would also submit that this is second bail application and the earlier bail application was dismissed as withdrawn on 07.12.2016 with liberty to repeat the same after filing of the charge sheet and now the charge sheet has been filed and no further investigation is necessary. He further submits that similarly placed co-accused Sunil Patel has been enlarged on bail by this Court in in M.Cr.C. Nos. 114, 117, 125 & 127 of 2017 on 23.01.2017 therefore, the present applicant may also be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail. However, on verification he do not dispute the fact that similarly placed co-accused has been enlarged on bail by this Court.
5. Perused the case diary and the documents. Considering the nature of allegations and the fact that all the evidence appears to be documentary in nature; the charge sheet has been filed and the applicant is in jail since 02.11.2016 as also the fact that similarly placed co-accused has been enlarged on bail by this Court in M.Cr.C. Nos. 114, 117, 125 & 127 of 2017 on 23.01.2017, I am inclined to allow this bail application.
6. Accordingly, all the bail application is allowed and 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