

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1280 of 2018**

Manoranjan Barik S/o Shri Murlidhar Barik Aged About 24 Years R/o.-
Village Barbaspur, P.S. Basna, District- Mahasamund (C.G.), District :
Mahasamund, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- Station House Officer, Police Station New
Rajendra Nagar, Raipur, District- Raipur (C.G.), District : Raipur,
Chhattisgarh.

---- Respondent

For the Applicant : Shri R. Pradhan, Advocate.
For the Respondent/State : Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****18.04.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.198 of 2017, registered at Police Station – New Rajendra Nagar, Raipur, District – Raipur, Chhattisgarh for the offence punishable under Sections 420, 467, 468/ 34, 120-B and 406 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 26.10.2017 and has been falsely implicated in this case. After completion of investigation, the charge-sheet has been filed and the trial against the applicant is still pending. No case is made out against the

applicant on the basis of the material placed before the Court by the prosecution. The trial of the case is likely to take sometime for its conclusion. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that there is *prima facie* evidence against the applicant for his prosecution in this case. Hence, the applicant is not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.

5. According to prosecution case, it is alleged that this applicant introduced co-accused – Ankush Bhardwaj as Shyam Gade with the help of forged identification papers in Chhattisgarh Gramin Bank, Branch Amlidih for the purpose of obtaining loan for purchase of a vehicle. On that basis, the loan was sanctioned from the bank and a vehicle was purchased by the fictitious person identified as Shyam Gade. Later on, the Branch Manager came to know of the fraud committed and the FIR was lodged.

6. Considered the entire material present in the case-diary and the trial of the case is likely to take sometime for its conclusion, I am of the considered view that no purpose would be served if the applicant is kept in detention for the whole period of trial. Hence, this application deserves to be allowed.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi