

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1807 of 2018

- Manish Kumar Sinha S/o S/o Arvind Sinha Aged About 19 Years
Occupation Student, R/o Ward No. 6, Hridayganj, Thana Michaibadi,
Near Degree College, District Katihar, Bihar, District : Katihar, Bihar

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Incharge Police
Station Ambikapur, District Surguja, Chhattisgarh, District : Surguja
(Ambikapur), Chhattisgarh

---- Respondent

For Applicant	:	Mr. Dasrath Prajapati, Advocate.
For Respondent	:	Mrs. M. Aasha, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

20/06/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.470/2017 registered at Police Station- Ambikapur, District – Surguja(C.G.) for the offence punishable under Sections 420, 467, 468, 471, 120(B), 34 of the Indian Penal Code, 1860.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 13.8.2017. No case is made out against him. He has been implicated in this case only on the basis of the memorandum statement given by the co-accused person, hence, it is prayed that applicant be granted regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. According to prosecution case, co-accused Rajesh Rai impersonating as Section Engineer of Railway's. He purchased articles from the shop of complainant and other businessmen and paid the price through a demand draft. The demand draft given was found to be forged, hence, FIR has been lodged.
6. The only evidence against this applicant is the memorandum statement of the co-accused person. Apart from that no other witness has made any statement against this applicant, for this reason, I am of this view this is a fit case where the applicant should be released on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his 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/-
(Rajendra Chandra Singh Samant)
Judge