

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2027 of 2018

- Santu Yadav S/o Vishambhar Yadav, Aged About 51 Years, R/o- Idea Building Raipura, Tahsil And District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- District Magistrate Durg, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Non-applicant

For Applicant – Shri S.S. Masih, Advocate.

For Non-applicant/State – Shri Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

20-06-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court by the applicant for regular bail. The applicant has been arrested on 06-01-2018 in connection with Crime No.864/2017 registered at Police Station Durg Kotwali, District Durg Chhattisgarh for the offence under Section 420, 467, 468, 471, 474/34 of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 06-01-2018. No case is made out against him. Similarly placed co-accused persons namely Smt. Ranjana Chandrakar and others have been granted bail by this Court. Hence, it is prayed that the applicant may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that this applicant has played main role in commission of the offence and supplied the forged Rin-pustika for the purpose of furnishing bail before court. Hence, he is not entitled for grant of bail.

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

5. Complainant Fini Khutel has lodged the FIR that her husband Sanjay

Dwivedi was engaged in clandestine business of furnishing bail bonds for accused persons before the court on the basis of forged Rin-pustika and other papers. The co-accused persons have given statement on memorandum stating that this applicant was the person who supplied the Rin-pustika and other documents for the purpose of furnishing bail bonds before the court.

6. Looking to the evidence proposed for prosecuting this applicant, I am of this view that this applicant should be granted regular bail during pendency of the trial against him.

7. Consequently, this application filed under Section 439 of the Cr.P.C. by the applicant is hereby allowed. It is directed that the 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 Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge