

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2123 of 2018

- Ankush Bhardwaj, son of late Chhabilal Bhardwaj, aged about 26 years, Occupation- Student, resident of Village Gukhera, Tahsil and P.S. Aarang District- Raipur (Chhattisgarh).

---- Applicant

Versus

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

---- Non-applicant

For Applicant	:Mr. G. M. Hasan, Advocate.
For Respondent/State	:Mr. Anupam Dubey, Dy. Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

02/05/2018

1. Heard.
2. This is the first 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. 198/2017 registered at Police Station- New Rajendra Nagar, District – Raipur (Chhattisgarh) for the offence punishable under Sections 420, 467, 468, 120-B of Indian Penal Code.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case as no case is made out against him on the basis of the material available in the charge sheet. It is submitted that the applicant is in detention since 26.10.2017 two other co-accused persons have already been granted bail by this Court, Hence, it is prayed that

applicant be enlarged on regular bail.

4. Learned State counsel opposes the bail application and submits this applicant was the person who impersonated as Shyam Gadhe for the purpose of obtaining loan from the bank which has been misappropriated by this applicant alongwith co-accused persons, hence, he is not entitled for the grant of regular bail.
5. Heard both the parties and perused the case diary.
6. According to the case of the prosecution, this applicant was presented himself as Shyam Gadhe in Chhattisgarh State Gramin Bank, Amlidheh for the purpose of obtaining loan for purchasing of a car. Forged papers were also submitted by this applicant alongwith co-accused persons, on that basis loan was sanctioned and the car was purchased. Subsequently, that car was mortgaged. The bank manager has lodged the FIR. Hence this Case.
7. Considering the material present in the case diary, it appears that this applicant does not any have criminal antecedent and the other co-accused persons have also been granted bail by this court, hence, I am of this opinion that applicant should be benefited with grant of regular bail.
8. 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 Court, for his appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge