

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 489 of 2018

- Charnamrit Sharma S/o S. N. Sharma Aged About 32 Years R/o Jashpur, Tahsil And Thana Jashpur, District Jashpur Nagar Chhattisgarh, District : Jashpur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Jashpur, Tahsil Jashpur, District Jashpur Nagar Chhattisgarh, District : Surajpur, Chhattisgarh

---- Respondent

For Applicant : Mr. N.K. Malaviya, Advocate.
For Respondent : Mr. Anil S. Pandey, Panel Lawyer.

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

13/07/2018

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.51/2018 registered at Police Station- Jashpur, District – Jashpur(C.G.), for the offence punishable under Sections 420, 467, 468, 471 & 120-B of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case only for the reason that he had accompanied the main accused Balram Turi when he had been to the Bank to obtain KCC loan in the name of the father of the complainant, of which this applicant was not aware, hence, it is prayed

that this applicant be granted anticipatory bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect. It is submitted that this applicant had conspired with the main accused for obtaining fraudulent loan, hence, he is not entitled for grant of anticipatory bail.
4. Heard both the parties and perused the case diary.
5. According to the case of prosecution case, the father of complainant Shiv Nandan Singh had expired on 3.1.2009 and on 26.12.2009 main accused Balram Turi presented revenue papers of Shiv Nandan Singh in the bank and by making use of the same and with the help of some other who impersonated Shiv Nandan Singh, obtained KCC loan. The fact was disclosed after the complainant received notice from the concerned bank about loan outstanding against him. Hence, this case.
6. Considering on all the material present in the case diary, and the evidence that is proposed against this applicant, I am of this view that this is a fit case where applicant should be benefited with grant of anticipatory bail.
7. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicants in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :
 - (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;

- (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-
(Rajendra Chandra Singh Samant)
Judge