

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3846 of 2018

1. Santram Sahu, S/o Ramaram Sahu Aged About 46 Years, R/o Village Bhainsbod, Police Chowki Birejhar, Post Office And Police Station Kurud, District Dhamtari, Chhattisgarh., District : Dhamtari, Chhattisgarh
2. Bhagirathi Sahu S/o S/o Manrakhan Sahu Aged About 52 Years R/o Village Bhainsbod, Police Chowki- Birejhar, Post Office And Police Station- Kurud, District- Dhamtari, Chhattisgarh., District : Dhamtari, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through The Station House Officer, Through Police Chowki Birejhar, Police Station Kurud, District- Dhamtari, Chhattisgarh., District : Dhamtari, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Shivendu Pandya, Advocate.
For Respondent	:	Mr. Anupam Dubey, Dy. Govt. Advocate.

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

26/06/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.46/2018, registered at Police Station– Kurud, District– Dhamtari (C.G.) for the offence punishable under Sections 420, 466, 467, 468, 471, 472 & 120(B) of the Indian Penal Code.

2. Learned counsel for the applicants submits that applicants are innocent and have been falsely implicated in this case. Applicants are in jail since 5.2.2018. No case is made out against these applicants and that these applicants are determined to repay the loan amount obtained by them. Allegation of complainant Udalram Sahu is mainly against Jeewan Lal Dhimar & Khemlal Rajput, present applicants have not used forged Rin Pustika of Udalram Sahu for obtaining loan from the banks. Applicants are ready to abide by all the conditions and directions, which may be imposed while granting bail to them. Hence, it is prayed that applicants be enlarged on regular bail.
3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that both these applicants have obtained loan from various bank like IDBI, Chhattisgarh Gramin Bank, UCO Bank etc. by using forged title documents of agriculture lands, hence they are not entitled for grant of bail.
4. Heard both the parties and perused the case diary.
5. According to prosecution case, these applicants collaborated with other accused person and on the strength of forged Rin Pustika and revenue papers have obtained loan from various bank.
6. In this case, concerned banks have not come forward as aggrieved persons and that the loan outstanding against these applicants has been released in their own names, hence, considering the material present in the case diary, I am of this opinion that this is a fit case where applicants should be released on regular bail.
7. Accordingly, the bail applications filed under Section 439 of Cr.P.C. are allowed. It is directed that the applicants shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/-each with one

surety in the like sum to the satisfaction of the concerned trial Court,
for their appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Nisha