

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 723 of 2018

- Ramlaxmi Vadalmanni W/o Mr. Subba Rao Vadalmanni, Aged About 52 Years Resident Of H. No. 10/1750, Shivanand Nagar, Sector 1, Nav Provision Stores, P. S. Khamtarai, Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station- Devendra Nagar, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

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MCRCA No. 724 of 2018

- Subba Rao Vadalmanni W/o Mr. V. Dixitulu, Aged About 54 Years Resident Of H. No. 10/1750, Shivanand Nagar, Sector 1, Nav Pravision Stores, P. S. Khamtarai, Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Devendra Nagar, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

For Applicants : Mr. Raza Ali, Advocate.

For Respondent/State: Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

26/07/2018

1. Since the above bail applications arise out of the same crime number, they are being disposed of by this common order.
2. Applicants in all the cases have preferred these applications for grant of anticipatory bail as they apprehend their arrest in connection with Crime No.96/2018 registered at Police Station-Devendra Nagar, District – Raipur(C.G.), for the offence punishable under Sections 420, 467, 468, 471 read with 34 of Indian Penal Code (for short 'IPC').
3. Learned counsel for the applicants submits that applicants are innocent and have been falsely implicated in this case. The fact of this case is this, that the son of both the applicants has borrowed loan from finance company by mortgaging the property belonging to these applicants. These applicants have nothing to do with the interpolation in the copy of the sale-deed of the property and neither they have been benefited in any manner from the loan that was granted, as that has may be used of by the main accused person V. Satish Rao, hence, it is prayed that anticipatory bail be granted to be applicants.
4. Learned State counsel opposes the bail applications and the submissions made in this respect. It is submitted that both these applicants are directly involved in the commission of offence as they are the persons who appeared before the bank to complete all the formalities for sanctioning of loan, on the basis of forged document and also knowing well that the said property was already mortgaged and in possession of UCO bank, hence, no case is made out for grant of anticipatory bail.

5. Heard both the parties and perused the case diary.
6. Sunil Kumar Singh the Regional In-charge of Gruh Finance Company Ltd, Pandary, Raipur has lodged FIR alleging that both these applicants appeared for sanction of loan by deposit of title deeds. The loan of Rs.40 lakh was sanctioned after completing all the formalities and the loan was disbursed to V. Satish Rao. Subsequently when the applicants failed to repay the installments, the officials of Gruh Finance Company Ltd. made an inquiry and came to know that the property in question was already in possession of UCO bank and the photocopy of the registered documents that was submitted for grant of loan, was also interpolated showing inflated area of the property for sanction of loan accordingly.
7. After due consideration on all the material present in the case diary, it appears that the applicants have been directly concerned in the said sanction of loan in a fraudulent manner on a property which was already mortgaged and in possession of UCO bank, hence, I am of this opinion that this is not a fit case for grant of anticipatory bail.
8. Accordingly, the anticipatory bail applications of applicants are rejected.

Sd/-

(Rajendra Chandra Singh Samant)
Judge