

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4608 of 2018**

Bhawani Shanker Tiwari S/o Neelkanth Tiwari Aged About 34 Years R/o Kalimai Ward Near Old Water Tank, Pandriya Road Mungeli Tahsil And District Mungeli Chhattisgarh, District : Mungeli, Chhattisgarh.

---- Applicant**Versus**

Union Of India Through The Superintendent Of Police, Central Bureau Of Investigation- Bhilai, Acb, District Durg Chhattisgarh, District : Durg, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Jitendra Gupta, Advocate.
For the Respondent/CBI	:	Shri Kishore Bhaduri and Shri Anmol Sharma, Advocates.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****20.07.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.RC1242015A0004H/2017 registered at Police Station – Central Bureau of Investigation, ACB, District – Bhilai, Chhattisgarh for the offence punishable under Sections 109, 420, 467, 468 and 471 of the Indian Penal Code and Section 13(2) read with Section 13 (1)(d) of the Prevention of Corruption Act, 1988.
2. Learned counsel for the applicant submits that the applicant is in jail since 8.1.2018 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the

Court by the prosecution. In all the remaining cases registered against the applicant, he has been granted bail by the Co-ordinate Bench of this Court. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the CBI opposes the bail application and the submissions made in this respect. It is submitted that looking to numerosity of the cases against the applicant, he is not entitled for grant of regular bail.

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

5. The allegation against the applicant is that he on behalf of his mother – Smt. Uma Tiwari, was an agent of LIC for grant of loan on policies of the policy holders without their knowledge or consent by affixing forged signatures and fraudulently obtained loan in the name of the policy holders. Hence, this case.

6. Considered the material present in the case-diary. Taking into consideration this fact that the applicant has been granted bail in all the other cases registered against him by the Co-ordinate Bench of this Court and also taking into consideration that all the co-accused persons have also been benefited with grant of regular bail. Hence, the application deserves to be allowed.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that 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 trial Court, for his appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge