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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4938 of 2018**

Shyam Bandiya S/o Mr. Hindu Aged About 42 Years Occupation Bank Manager Of Bank Of Baroda, R/o Sa. Putuleed, Post Galudih, P. S. Kuchai, District Saraikela, Khaswagarh, Jharkhand Present Address Vijay Vihar, Avanti Vihar, P. S. Telibandha, Raipur Chhattisgarh, District : Raipur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Police Station Arang, Raipur Chhattisgarh, District : Raipur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Raza Ali and Shri Ankur Agrawal, Advocates.
For the Respondent/State	:	Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****01.08.2018**

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. 143 of 2016, registered at Police Station Arang, District Raipur, Chhattisgarh for the offence punishable under Sections 420, 120B, 467, 468 and 471 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 17.6.2016 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. The applicant was working as a Bank Manager in

Bank of Baroda and at the relevant point of time, while performing his duties, he sanctioned a loan in favour of the complainant. The allegation made against the applicant is totally false and baseless. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

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

5. The allegation against the applicant and the other co-accused persons, namely, Ghanshyam Dhruv and Others gave inducement to the complainant that improved cultivation methods can be provided by one Bio-Tech Company for which they will help in getting loan from Bank. Being induced, the complainant and others provided them with the documents of agricultural lands which were used in the bank, where the applicant was Manager who sanctioned loan and total amount of Rs.30,00,000/- and the amount was transferred to the Bio-Tech company by making use of the documents on which the signatures of the complainant were obtained. The investigation is still incomplete and the subsidy has also not been received by the complainant. Hence, the FIR has been lodged.

6. After considering all the material present in the case-diary, I am of the considered view that the present is a fit case where the applicant should be benefited with grant of regular bail.

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 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