

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 5113 of 2018**

Pradeep Sharma, S/o. Shri Badri Prasad Sharma, Aged About 67 Years, R/o. E-924/Scheme 51, Near Ideal International School, Indore, Thana Aerodram Indore (M.P.)

---- Applicant**Versus**

State Of Chhattisgarh, Through The Station House Officer, Police Station Devendra Nagar, District Raipur Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Sudip Johari, Advocate
For Respondent	:	Mr. Anupam Dubey, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****08/08/2018**

1. This is the first bail applications filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.93/2014, registered at Police Station- Devendra Nagar, District – Raipur(C.G.) for the offence punishable under 420, 409 of the Indian Penal Code and Section 45 (2) of Chhattisgarh Value Added Tax Act, 2005..
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. Applicant is in jail since 24.04.2018. No case is made out against him according to the material present in the charge-sheet. The applicant has paid all the taxes of sale transaction disclosed by him regarding his concern Kanchan Steel and no case is made out against him. Hence, it is prayed that the applicant may be enlarged on bail.
3. On the other hand, the learned counsel appearing for the State opposes the bail application and the submission made in this respect. It is submitted that the applicant is the proprietor of the concern named as Kanchan Steel, which is not in existence and thus he is engaged in

making false bills, vouchers etc. to give benefits to the other businessmen and also received benefits in return. Hence, the applicant is not entitled for grant of bail.

4. I have heard the learned counsel for the parties and perused the documents placed on record.
5. The case against the applicant is this that by preparing fake bills and vouchers in favour of the businessmen showing sale transaction etc., he has caused loss to the State exchequer by way of loss of taxes. Hence, this case.
6. Considered the submissions made and the contents of the case diary. Considering on the entire material present in the case diary as presently the case is before the trial Court and trial of the case is likely to take sometime for its conclusion, no purpose would be served, if the, applicant is kept in detention till the conclusion of trial, hence for these reasons, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge