

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6523 of 2018

- Tularam, aged about 60 years, S/o Firturam Lahare, R/o Mudpar, P.S. Pamgarh, District Janjgir-Champa (C.G).

---- Applicant

Versus

- State of Chhattisgarh Through The District Magistrate, District- Janjgir-Chmapa (C.G.)

---- Respondent

For Applicant	: Shri Govind Ram Miri, Advocate.
For Respondent/State	: Shri Sangharsh Pandey, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

26/10/2018

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 425/2018, registered at Police Station – Janjgir, District- Janjgir Champa (C.G.) for the offence punishable under Sections 420, 467, 468 & 471/34 of the IPC.
2. As per the prosecution story, complainant Sandeep Kumar Mishra lodged a complaint, wherein it has been stated that present applicant along with other co-accused persons prepared forged documents and on the basis of said forged documents they have obtained loan of Rs. 9,21,000/- from the bank by using the name of Smt. Champa Bai, mother of the complainant. Allegedly at the time of sanctioning loan amount they have produced co-accused Sindhu Lala Urmal in place of Champa Bai before the bank and she was identified by two fake persons. On the basis of above, offence has been registered and the present applicant has been taken on custody on 24.07.2018.
3. Learned Counsel appearing on behalf of the Applicant submits that the

Applicant is innocent and has been falsely implicated in the case. He further submits that there is nothing on record on the basis of which any offence can be made out against the present applicant, the only allegation against the present applicant is that at the time of verification he mentioned his house as the house of Sindhu Lata Urmal, the applicant is in custody since 24.07.2018 and trial will take some time. Therefore, he may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution, further considering the role played by the present applicant, he is in custody since 24.07.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge