

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6642 of 2018

- Hiralal Miri S/o Late Shriram Miri Aged About 45 Years R/o Village - Kachhar, Police Station Masturi, District - Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station - Masturi, District - Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Non-applicant

For Applicant	: Shri R.S. Patel, Advocate.
For Non-applicant	: Shri Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta **Order On Board**

12.11.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 107/2018 registered at Police Station – Masturi, District - Bilaspur, (C.G.) for the offence punishable under Section 420/34 of the Indian Penal Code.
3. Case of the prosecution, in brief is that in favour of the complainant Ramavtar Sahu and eight other farmers 4,12,000/- KCC loan was sanctioned from the District Cooperative Bank, Branch Masturi. Applicant Hiralal Miri is the peon in the said Bank. Coaccused Premasagar Markam is the director of the said Bank. Complainant and said farmers had submitted the withdrawal form to said branch. Cashier had told them that they should come after some time. After passing some time complaint and said farmers reached there to get the withdrawal amount. Cashier told them that on saying of the applicant, he has given the withdrawal amount to co-accused Premasagar Markam.
4. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no antecedent against the applicant.
6. Counsel for the applicant drew my attention on the photocopy of the enquiry report Annexure P3 which is part of the bail application wherein it has been mentioned that the complaint of the farmers was found untrue.
7. Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, It is directed that if the applicant furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Trial Court with the condition that he will not involve in any crime in future, he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE