

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1398 of 2018

- Son Das Tande S/o Heera Lal Tande Aged About 50 Years R/o Village- Sonadula, Police Station- Akaltara, District- Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station- Akaltara, District- Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicant : Mr. N.K. Chatterjee, Advocate.
For Respondent : Mr. Ashish Shukla, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

13/11/2018

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending their arrest in connection with Crime No.179/2018 registered at Police Station-Akaltara, District – Janjgir-Champa(C.G.), for the offence punishable under Section 420, 467, 468/34 of the Indian Penal Code.
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. No case is made out against the applicant according to the evidence present in the case diary. Similarly placed co-accused Suresh Kumar Tande has been granted anticipatory bail by this Court in MCRCA No.936/2018 vide order dated

6.9.2018, hence, it is prayed that this applicant may be granted anticipatory bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. As alleged this applicant along with the co-accused Suresh Kumar Tande appeared before the Canara Bank, Akaltara and applied for KCC loan presenting forged documents. It is alleged that this applicant has impersonated the complainant to obtain loan Rs.2 lakhs. Hence, this case.
6. It is submitted by counsel for appellant, that loan that was obtained has already been repaid by this applicant and the co-accused person, hence, after due consideration on this statement of the counsel and that the co-accused person has been benefited with grant of anticipatory bail, I am of this view that this is a fit case where the applicant should be enlarged on anticipatory bail.
7. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :
 - (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;
 - (ii) that the applicant shall not, directly or indirectly, make any

inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;

(iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

(iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Nisha