NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.8134 of 2018

Pranshu Thakur, S/o Mahaveer Singh Thakur, aged about 29 years, R/o A-4, Saket Colony, Katulbord, Durg, Police Station Mohan Nagar, Tahsil & District Durg (CG). **---- Applicant**

Versus

State of Chhattisgarh, through District Magistrate Durg, Police Station Kotwali, Durg District Durg (CG). **---- Non-applicant**

For Applicant : Mr. Gurudev I. Sharan, Advocate.
For Non-applicant : Mr. Suryakant Mishra, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

27.11.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other Court.

2. The applicant has been arrested in connection with Crime No.595/2018 registered in Police Station Kotwali, Durg for the offence punishable under Section 467 of IPC, Section 66(C) and Sections 66(D) of I.T. Act.

3. Prosecution story in brief is that between 15.05.2018 to 22.06.2018, some unknown persons by using Internet I.P. address of office of Collector, Food Department, Durg prepared 386 forged ration cards. On the memorandum of the applicant, one mobile IMEI numbers 863689036465215 & 863689036465207 was seized from the applicant in that mobile, the documents of Food Department were loaded. The applicant had prepared said forged ration cards by using the said mobile.

4. Counsel for the applicant submitted that the applicant is innocent and has been falsely implicated in the present case hence he may be released on bail.

5. Counsel for the State opposed the prayer for grant of bail. He further submitted that no criminal antecedent reported against the applicant in police case diary.

6. Offence is triable by JMFC.

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; and the trial is likely to take some more time for its final disposal, this Court is inclined to give benefits of Section 439 of the CrPC to the applicant.

Accordingly, the bail application is allowed.

8. It is directed that if the applicant furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond in the sum of Rs.50,000/- to the satisfaction of the concerned Trial Court with the condition that he shall appear before the Trial Court at 11:00 am as and when directed till trial and he would co-operate during the trial, he shall be released on bail and he will not commit any such type of offence in future.

9. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-