

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 6895 of 2017**

Rashid Ladle Sahab Momin, S/o. Yashim Ladle Sahab Momin, Aged About 47 Years, R/o. House No.19 Jahangir Milkawali Colony, Behind Commissioner Office, Shahi Bag, Ahmedabad (wrongly mentioned as Ahmabad) Gujrat.

**---- Applicant**

**Versus**

State Of Chhattisgarh, Through The Police Station City Kotwali, Raipur Chhattisgarh.

**---- Respondent**

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For Applicant : Mr. N Naha Roy, Advocate

For Respondent : Mr. Ashish Shukla, Dy. A.G.  
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**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**02.04.2018**

1. This is the fifth bail application 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.238/2016 registered at Police Station- City Kotwali Raipur, District Raipur (C.G.) for the offence punishable under Section 420, 467, 468, 471 & 511 of Indian Penal Code. The first bail application was dismissed on 06.12.2016, second bail application was dismissed on 07.07.2017 and thereafter the applicant had applied for temporary bail which was dismissed on 01.09.2017 & 27.09.2017.
2. As per the prosecution case, a report was made by Nagendra Tiwari of Ashutosh Engineering Industries that he is having an Account in SBI Commercial Branch have received a phone call from the Bank that they have issued a cheque of Rs.99,99,800/- in favour of one Vijay Bhai, which was denied. Subsequently, a report was made and it was revealed that the said cheque was

deposited at Ahmadabad and the present applicant has handed over the cheque which was forged.

3. Learned counsel for the applicant submits that the other co-accused namely Santosh Chaudhari has been enlarged on bail on 11.10.2017 in MCRC No.5929 of 2017 since the application filed under Section 311 of Cr.P.C. was allowed on 12.09.2017 wherein 16 witnesses have been added and trial will take some time. Consequently, on that ground the other co-accused has been enlarged on bail and the similar parity may be given to the present applicant, therefore, he may also be released on bail.
4. Learned State counsel opposes the prayer for grant of bail, however, he is not able to dispute the fact that the other co-accused has been enlarged on bail on the ground that the application under Section 311 of Cr.P.C. was allowed wherein 16 witnesses have been added.
5. Perused the order dated 11.10.2017 passed by this Court in MCRC No.5929 of 2017. Considering the fact that the case of the present applicant is similar with that of the other co-accused Santosh Chaudhari who has already been enlarged on bail on 11.10.2017, I am inclined to release the present applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one local surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-  
**(Goutam Bhaduri)**  
Judge