

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8565 of 2018

- Ganpat Ram Chelkar S/o Late Premlal Chelkar, aged about 50 Years R/o Pamgarh, P.S. and Tehsil Pamgarh, District Janjgir - Champa, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through S.H.O. P.S. Janjgir, District Janjgir Champa, Chhattisgarh.

---- Respondent

For Applicant : Shri Ravindra Sharma, Advocate.
For Respondent/State : Shri Sangharsh Pandey, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

29/11/2018

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, Chhattisgarh, for the offence punishable under Sections 420, 467, 468, 471/34 of the Indian Penal Code.
2. As per prosecution story, Complainant Sandeep Kumar Mishra lodged a complaint, wherein it has been stated that the present Applicant alongwith other co-accused persons prepared forged documents and on the basis of the 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 Sandeep Kumar Mishra. Allegedly, at the time of sanctioning loan amount, they have produced co-accused Sindhu Lata Urmal in place of Champa Bai before the bank and she was identified by two fake persons. Allegations against the present Applicant is that, at the time of verification of residence of said Sindhu

Lata, the Applicant told the bank officials that Sindhu Lata resides in his house. On the basis of the above, offence has been registered and the present Applicant has been taken into custody on 12.10.2018.

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 no any direct evidence against the Applicant on record on the basis of which any offence can be made out against him. He also states that co-accused Tularam has already been granted bail by this Court passed in MCRC No. 6523/2018 vide order dated 26.10.2018. The Applicant is in custody since 12.10.2018. 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.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the role played by the present Applicant and the allegations levelled against him, Applicant is in custody since 12.10.2018 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