

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 23 of 2019**

Pankaj Kumar Sah, aged about 26 years, S/o Shri Umashankar Sah, R/o Village Petarwar, P.S. & Post Petarwar, Tahsil Petarwar (wrongly typed Petwar), District Bokaro (Jharkhand).
---- Applicant

Versus

State of Chhattisgarh, through Station House Officer, P.S. Civil Line, Raipur District Raipur (CG).
---- Non-applicant

For Applicant	: Mr. Ravindra Sharma, Advocate.
For Non-applicant	: Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

28.01.2019

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 counsel for the State in connection with crime No.597/2018 registered at Police Station Civil Line, Raipur for the offence punishable under Sections 420, 467, 468/34 of IPC.
3. Case of the prosecution, in brief is that the applicant and co-accused Gurpreet Kaur had taken Rs.7,000/- from the complainant Narendra Singh Chima to prepare Smart Card of his and his family members. Later on, they have given Smart Cards to the said complainant which were found forged.
4. Counsel for the applicant submits that the applicant has not committed any offence. He is innocent and has been falsely implicated in the present case, therefore, he may be released on bail.
5. On the other hand, counsel for the State opposes the prayer for grant of bail to the applicant however he submits that no criminal antecedent is reported against the applicant in police case diary.
6. Co-accused Gurpreet Kaur has already been released by this Court by order dated 14.11.2018 passed in M.Cr.C. No.8308/2018. The case of the applicant is identical as co-accused Gurpreet Kaur, who has already been released on bail by this Court.
7. The First Additional Sessions Judge to the court of First Additional Sessions Judge, Raipur has been wrongly distinguished the case of the applicant from co-accused Gurpreet Kaur.
8. Looking to the above facts and circumstances of the case, the application is allowed. It is ordered that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned, he be released on bail.
9. Certified copy as per rules.

Sd/-
 (Sharad Kumar Gupta)

JUDGE

L/-