

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 79 of 2019

Anand Kumbhakar S/o Panchu Kumbhkar, aged about 31 years,
R/o Kumharpara, Ward No. 15, Kawardha, Police Station and
Tahsil – Kawardha, District Kabirdham (C.G.) ---- **Applicant**

Versus

State Of Chhattisgarh Through Station House Officer, Police
Station City Pipariya, District Kabirdham, Chhattisgarh
---- **Respondent**

And

MCRC No. 360 of 2019

Ajay Kumar Shrivastava, S/o Purushottam Shrivastava, aged
about 59 years, R/o H. No. 55 Near Girls College, Professor
Colony, Kawardha, Police Station and Tahsil – Kawardha, District
Kabirdham (C.G.) ---- **Applicant**

Versus

State Of Chhattisgarh Through District Magistrate/Station House
Officer, Police Station City Pipariya, District Kabirdham,
Chhattisgarh ---- **Respondent**

For Applicants	: Shri Dharmesh Shrivastava and Shri Sumit Shrivastava, Advocate.
For Respondent/State	: Shri Ravi Bhagat, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

23/01/2019

1. Both the bail applications are being heard together and decided by this common order as they arising out of the same crime number.
2. This is the first bail application preferred by the applicants under Section 439 of Cr.P.C. for grant of bail as they are arrested in connection with Crime No.02/2014 registered at Police Station Pipariya, District Kabirdham (C.G.) for offence punishable under sections 420, 467, 468, 471 and 34 of IPC.
3. As per the prosecution case, one Dharm Kumar Choubey had lodged a report on 17.01.2014. At present Ajay Kumar Shrivastava was

working as Branch Manager in the Gramin Bank, Branch- Rabeli and Anand Kumbhkar was working as a cashier in the Gramin Bank, Branch- Rabeli with connivance of different villagers on the basis of forged documents distributed loans through K.C.C. totalling of Rs.88,00,000/- thereby committed the offence.

4. Learned counsel for the applicants submits that the incidence is of the year 2014 and the evidence are documentary in nature. He further submits that the applicant Anand Kumbhkar is in jail since 07.12.2018 and Ajay Kumar Shrivastava is in jail since 08.12.2018 and no further interrogation would be required as they have only followed the instructions of the higher officials and tempering would not be possible. Therefore, the present applicants be released on bail.

5. Per contra, learned State counsel opposes the prayer for grant of bail.

6. Perused the order. Considering the nature of the allegations that the incidence is of the year 2014 and the applicants have been arrested on 07.12.2018 and 08.12.2018 respectively, this court is inclined to release the applicants on bail.

7. Accordingly, the bail application is allowed and it is directed that the applicants shall be released on their furnishing personal bond for a sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of concerned trial court for their regular appearance before it as and when directed.

SD/-

(Goutam Bhaduri)
JUDGE