

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1020 of 2019

- Nanki Ram Yadav S/o Late Meva Ram Aged About 48 Years Caste Raut R/o Khamtarai, P. S. Bagbahar, District Jashpur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Bagbahar, District Jashpur, Chhattisgarh

---- Respondent

AND

MCRC No. 1256 of 2019

- Nohar Sai Tigga S/o Bhoko Tigga Aged About 55 Years Caste- Uraon, R/o Village- Beldegi, Tahsil- Patthalgaon, District- Jashpur, Chhattisgarh.

---- Applicant

Versus

- The State Of Chhattisgarh Through Police Station- Bagabahra, District- Jashpur, Chhattisgarh.

---- Respondent

AND

MCRC No. 1477 of 2019

- Pitamber Yadaw S/o Jugeshwar Yadaw Aged About 35 Years Caste Mahakul, R/o Village Chhatasarai Thana Bagbahar, District Jashpur Chhattisgarh
- Gangaram Yadaw S/o Trilochan Yadaw Aged About 38 Years Caste Mahakul, R/o Village Khamtarai Kukricholi, Thana Bagbahar, District Jashpur Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Bagbahar, District Jashpur Chhattisgarh

---- Respondent

For Applicant (in MCRC NO. 1020/2019)	: Smt. Indira Tripathi, Advocate.
For Applicant (in MCRC NO.1256/2019)	: Mr. Dilman Rati Minj, Advocate.
For Applicants (in MCRC NO.1477/2019)	: Mr. Sanjay Agrawal, Advocate.
For Respondent/State	: Mr. D.P. Singh, Dy. A.G.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

30/04/2019

1. Since, all the above cases arise out of same crime number, therefore, they are being disposed of by this common order.
2. The Applicants have preferred these first bail applications under Section 439 of Cr.P.C. for grant of regular bail, as they are arrested in connection with crime No. 83/2017, registered at Police Station Bagbahar, District- Jashpur (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 120 B of the IPC.
3. As per prosecution story, at the time of sanctioning KCC loan from the Central Bank of India, Bagbahar (C.G.) by the name of complainant Dilsai, Applicant Nanki Ram impersonated as Dilsai and the guarantors of this loan were co-accused Ladho Ram (Dead) and Applicant Nohar Sai. Allegedly, all the loan documents were signed by Applicant Gangaram, Applicant Pitambar Yadav has signed the documents as witness. Co-accused Janak Ram before sanctioning the said loan, obtained some documents from the complainant Dilsai. Later on complainant Dilsai lodged a report in police station, on the basis of which, offence has been registered against the accused persons. During course of investigation, Applicant Nanki Ram Yadav arrested on 30.11.2018, Applicant Nohar Sai arrested on 28.11.2018 and Applicants Pitamber Yadav and Gangaram Yadav arrested on 25.10.2018.

4. Learned Counsel appearing on behalf of the Applicants submit that the Applicants are innocent and have been falsely implicated in the case. They further submit that co-accused persons Janak Ram and Smt. Rukhmani Nag have already been granted benefit of regular bail and anticipatory by this Court vide order dated 18.01.2019 & 21.02.2019 passed in MCRC No. 9993/2018 & MCRCA No. 202/2019. The Applicants are in custody since 25.10.2018, 28.11.2018 & 30.11.2018, charge-sheet has already been filed and trial is likely to take some time. Therefore, the Applicants may be released on bail.
5. Per contra, learned Counsel appearing on behalf of the State opposes the bail applications.
6. I have heard learned Counsel for the parties and perused the case diary with due care.
7. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the other co-accused persons have already granted benefit of regular bail and anticipatory bail by this Court, the Applicants are in custody since 25.10.2018, 28.11.2018 & 30.11.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the Applicants on bail.
8. Accordingly, the bail applications are allowed.
9. It is directed that the Applicants shall be released on bail on each of them executing a personal bond for a sum of Rs. 20,000/- with one local solvent surety for the like amount to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge