

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2099 of 2019**

- Hariram S/o Anath Chandrakar Aged About 53 Years R/o Village - Baiji, Out Post - Dashrangpur, Police Station Pipariya, District Kawardha (Kabirdham) Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Dadhi, District Bemetara Chhattisgarh.

---- Respondent

For Applicant	: Shri Dharmesh Shrivastava, Advocate.
For Respondent/State	: Shri Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**17/05/2019**

1. The Applicant has preferred this second bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 59/2018, registered at Police Station – Dadhi, District- Bemetara, (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 34 of the Indian Penal Code.
2. First bail application of the Applicant was dismissed as withdrawn vide order dated 14.02.2019 passed in MCRC No. 592/2019.
3. In this case there are three accused persons. Allegations against the present Applicant is that, he obtained a KCC loan from the SBI Branch, Chhiraha. Allegedly, at the time of granting loan, Applicant has submitted some forged documents regarding his land and after grant of loan, he did not deposited the money of loan. Report was made by Tileshwar Singh Paikra, Branch Manager of the said Bank. On the basis of the said, offence has been registered against the present Applicant and other co-accused persons namely O.V.R. Murthy, the then Branch Manager of the said Bank and one Ramkinker, Advocate,

who verified the papers of the Applicant. Applicant has been taken into custody on 28.11.2018.

4. 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 Branch Manager of the said Bank O.V.R. Murthy has already been granted anticipatory bail and other co-accused Ramkinker is still abasconding. Applicant is in custody since 28.11.2018, charge-sheet has been filed and trial is likely to take some time. Therefore, he may be released on bail.
5. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned Counsel for the parties and perused the case diary.
7. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the arguments advanced, and the fact that Applicant is in custody since 28.11.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
8. Accordingly, the bail application is allowed.
9. 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 concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge