

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2350 of 2019**

- Rafiq Ahmad Siddhqui, S/o Sah Mohammad Siddiqui, aged about 50 years, R/o Raja Talab, New Basti, P.S. Civil Lines, District Raipur, (C.G.).

---- Applicant**Versus**

- State of Chhattisgarh Through Police Station - Lohandiguda, District - Bastar, (C.G.).

---- Respondent

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

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

16/05/2019

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. 09/2015, registered at Police Station – Lohandiguda, District – Bastar, (C.G.) for the offence punishable under Section 420, 467, 468 & 471 of the IPC.
2. In this case there are total three accused persons. As per the prosecution story, it is alleged that present Applicant alongwith co-accused i.e. his wife namely Smt. Shamin Siddiqui prepared forged document in the name of Jyoti Self Help Group and opened forged bank account in the name of forged persons. By doing so, Applicant and co-accused procure order to prepare uniform of students of Lohandiguda Vikaskhand and thus, misappropriated the Government fund by transferring the amount through cheque into the forged account. On the basis of the said background, offence has been registered and Applicant has been taken into custody on 02.02.2019.
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 co-accused namely Smt. Shamin Siddiqui has already been granted anticipatory bail vide order dated 15.07.2015 passed in MCRCA No. 553/2015. He further states that delay in lodging the FIR is not explained. Applicant is in custody since 02.02.2019, charge-sheet has been filed and trial is likely to take some time. 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 fact that the Applicant is in custody since 02.02.2019, charge-sheet has been filed 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 concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge