

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4524 of 2019

1. Tikam Sahu, S/o Tijuram Sahu Aged About 40 Years R/o Village Baspahad, Police Station Bortalab, Tahsil Dongargarh, District-Rajnandgaon, Chhattisgarh.
2. Smt. Devki Halwa W/o Brijlal Aged About 48 Years R/o Manatola, Police Station Mohla, District-Rajnandgaon, Chhattisgarh.
3. Narendra Kumar @ Kalicharan Fardiya S/o Sewaram Fardiya Aged About 30 Years R/o Village Mahul Jhopdi, Police Station Dongargaon, District-Rajnandgaon, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Dongargarh, District Rajnandgaon Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Abhishek Sharma, Advocate.
For Respondent	:	Mr. Akanksha Jain, Dy. Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

20/08/2019

1. Learned counsel for the applicants seeks permission of this Court to withdraw this regular bail application so far as it relates to applicant No.1.
2. In view of above, this regular bail application stands dismissed as withdrawn as regards applicant No.1.
3. This is the first bail application filed by applicant No. 2 & 3 under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.180/2018 registered at Police Station– Dongargarh,

District– Rajnandgaon(C.G.) for the offence punishable under Sections 419, 420, 467, 468, 471, 120-B, 34 of the Indian Penal Code.

4. Learned counsel for the applicants submits that applicant No.2 & 3 are innocent and have been falsely implicated in this case. They are in jail since 27.11.2018. No case is made out against them. These applicants have been used by the main accused Tikam Sahu for obtaining loan. These applicants are not the beneficiary of the loan so obtained from the bank. Similarly placed other co-accused persons have been granted bail by this Court, therefore, it is prayed that they may also be enlarged on regular bail.
5. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that there is specific charge of impersonation against the applicant No.2 & 3, which is serious in nature, therefore, application be rejected.
6. Heard both the parties and perused the case diary.
7. According to the prosecution case, FIR has been lodged by manager Dena Bank, Dongergarh, stating that 19 farmers applied for loan against which loan of Rs.84,20,000/- was sanctioned by the bank. The specific allegation is mainly against the co-accused Tikam Sahu, that he submitted forged documents which were used by other applicants to impersonate the farmers for obtaining the loan. Hence, this case.
8. Considering that these applicants are not the main accused persons and similarly placed other co-accused persons have been granted bail regular or anticipatory, for these reason, I feel inclined to allow the application of these applicant No.2 & 3.
9. Accordingly, the bail application filed by applicant No.2 & 3 under Section 439 of Cr.P.C. is allowed. It is directed that the applicant NO.2

& 3 shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha