

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1209 of 2019

- Melu Ram Karmveer S/o Late Shri Manuvaram Aged About 49 Years
Caste - Binjhar Occupation - Bank Manager Punjab National Bank
Posting Place At The Time Of Alleged Incident - Branch Jashpur Thana
- Jashpur, District - Jashpur Chhattisgarh, Current Posting Place -
Bank Manager P N B Sadar Bazar Bilaspur Chhattisgarh Permanent
R/o Asma City Chowki - Sakri, Thana - Chakrabhata Bilaspur
Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station -
Jashpur, District - Jashpur Chhattisgarh., District : Jashpur,
Chhattisgarh

---- Respondent

For Applicant : Mr. Sumit Shrivastava, Advocate.
For Respondent : Mr. Devendra Pratap Singh, Dy. Adv. General.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

09/08/2019

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.77/2017 registered at Police Station- Jashpur, Distt-Jashpur, Chhattisgarh for the offence punishable under Sections 420, 468, 471, 120-B of IPC.
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. No case is made out against the applicant. All the allegations are mainly against the co-accused Balram Turi and only because he has named this applicant as the person who has taken some share in the loan illegally sanctioned, this

applicant has been made an accused in this case. Apart from that there is no other evidence, hence, it is prayed that he may be enlarged on anticipatory bail.

3. Learned State counsel opposes bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. According to prosecution case, KCC loan of Rs.50,000/- was sanctioned in the year 2009 in favor of complainant Ramesh Singh, in which, the co-accused Balram Turi had actually received the loan amount. The complainant has alleged that he had not applied for any loan, but after receiving the notice he has repaid the same. During investigation, the co-accused Balram Turi was arrested and interrogated who has made statement that this applicant had helped in sanctioning the loan and also had received Rs.5000/- against his help. Hence, this case.
6. The case against the applicant is based only on the statement given by the co-accused person. The admissibility of which is a question, therefore, I am of this view that this is a fit case where the applicant should be enlarged on anticipatory bail.
7. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :

- (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;
- (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-

(Rajendra Chandra Singh Samant)
Judge