HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 1403 of 2019

- Preetam Kumar Sinha S/o Churamani Sinha Aged About 39 Years R/o Rewadih, Post Pendri Police Station Lalbag, Rajnandgaon, Tahsil And District Rajnandgaon Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For Applicant	: Mr. Abhishek Sharma, Advocate.
For Respondent/State	: Ms. Hamida Siddiqui, Dy. A.G.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

03/12/2019

1. The applicant has filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as he is apprehending his arrest in connection with crime no. 204/2019, registered at Police Station Dongargaon, Distt. Rajnandgaon (C.G.) for the offence punishable under Sections 420 & 409 of the IPC.

2. As per prosecution story, Senior Regional Manager Central Bank of India, Raipur made a written complaint to the Superintendent of Police Rajnandgaon regarding irregularities in the year 2011-12 of Central Bank Branch Dongargarh, allegedly, at that time total 101 persons were sanctioned KCC loan but the loan amount was not paid by them. After enquiry, it was found that by using the forged documents loan was sanctioned. The applicant was one of 101

people. On the basis of said, offence has been registered.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. No case can be made out against the applicant. He further submits that Branch manager and other revenue officers had done the said forgery. The applicant has not applied for KCC loan even he moved an application for taking loan of Rs. Fifty thousand under the scheme of *Pradhan Mantri Yojna* and for that he has given Rs. 15,000/- to his banker friend and kept remaining Rs. 35,000/- with him. He has no knowledge that the KCC loan was sanctioned in his favour. No documents have been submitted by him for taking KCC loan. Hence, it is prayed that the applicant may be granted benefit of anticipatory bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.

5. I have heard learned Counsel for the parties.

6. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by both the counsel appearing for the parties and further considering the fact that neither the applicant has applied for KCC loan nor he submitted any revenue documents even after that the loan amount was sanctioned in his favour that he had returned. Without further commenting on other merits of the case, in my considered opinion, it is a fit case for grant anticipatory bail to the applicant.

7. Accordingly, the anticipatory bail application is allowed.

8. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:-

    I. That the accused/applicant shall made himself available for interrogation before the concerned Investigating Officer as and when required;

II. The accused/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. The accused/applicant shall not act, in any manner which will be prejudicial to fair and expeditious trial; and

IV. The applicant shall appear before the Trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(Arvind Singh Chandel)
Judge

Shubham