

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5994 of 2019**

1. Anil Kumar Chouhan S/o Late Omkar Chouhan Aged About 40 Years
R/o Jarhabhatha, Kasturba Nagar, Bilaspur, Police Station-Civil Lines,
District- Bilaspur, Chhattisgarh
2. Ramesh Kumar Nirmalkar S/o Latelram Aged About 30 Years R/o
Bandhwapara, Nagar Panchayat, Sakri, Police Station- Sakri, District-
Bilaspur, Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station
Civil Lines, District- Bilaspur, Chhattisgarh

----Non Applicant

For the Applicants : Mr. Suryakant Mishra, Advocate

For Non Applicant : Mr. D.K.Tiwari, Deputy G.A.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****26.09.2019**

1. This is third bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court. No other bail application is pending before any other Court.
2. Earlier, the first bail application of the applicants was dismissed for want of prosecution on 12.04.2019 passed in MCRC No.8945/2018. Second bail application was dismissed as withdrawn by this Court by order dated 19.07.2019 passed in MCRC No.4156 of 2019.
3. Perused the case diary provided by the learned counsel for the State in connection with Crime No.877/2018 registered at Police Station- Civil Lines, District- Bilaspur (C.G.) for the offence punishable under Sections 420, 409, 467, 468, 471/34 of the Indian Penal Code.
4. Case of the prosecution in brief is that applicants were part time

sweepers and posted at a school at Bilaspur. They manipulated the cheques issued by the Bank for depositing the amount in their accounts. They received surplus amount of Rs.28,00,000/-.

5. Learned counsel for the applicants submits that applicants have no criminal background, they are innocent and have been falsely implicated in the present case. He further submits that alleged manipulation was countersigned and sealed by Competent Officer i.e. B.E.O. applicants are not actually culprits thus, they may be released on bail.
6. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no criminal antecedent against the applicants in police case diary.
7. Looking to the above mentioned facts and circumstances of the case, looking to the prima facie material available on record against the applicants, looking to the alleged huge amount, it is not a fit case for granting bail to the applicants in third round of litigation. Consequently, the third bail application is rejected. However, trial Court is directed to expedite the trial and dispose of the case as soon as possible.

Sd/-

(Sharad Kumar Gupta)
Judge