

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1625 of 2019**

- Narendra Ram S/o. Shani Ram Aged About 59 Years R/o. Village - Kunkuri, District – Jashpur, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through - Officer in Charge, City Kotwali Jashpur, District – Jashpur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Anshul Tiwari, Advocate.
For Respondent/State	: Shri Anand Verma, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**08/11/2019**

1. The Applicant has preferred this first bail application under Section 438 of Cr.P.C. for apprehending his arrest in connection with Crime No. 51/2018 registered at Police Station City Kotwali, Jashpur, District – Jashpur, (C.G.). for the offence punishable under Sections 420, 467, 468, 471, 120-B of Indian Penal Code.
2. As per the prosecution story, father of the Complainant Shiv Nandan Singh had expired on 03.01.2009 and on 26.12.2009 co-accused Balram Turi presented revenue papers of Shiv Nandan Singh in the bank and by making use of the same and with the help of some other co-accused persons obtained KCC loan. The fact was disclosed when Complainant received notice from the concerned bank about loan outstanding against him. On the basis of the said background, offence has been registered.
3. Learned Counsel appearing for the Applicant submits that the Applicant is innocent and has been falsely implicated in the present case. He further submits that, Applicant is the Branch Manager from

whom the said KCC loan was obtained by the co-accused persons. It is further submitted that KCC loan was taken by the co-accused Balram Turi. Virtually, Balram Turi is the main accused who at the time of granting loan submitted forged documents. At the time of granting loan, a certificate of Sarpanch was also submitted by co-accused Balram Turi regarding his identification. There is nothing on record on the basis of which any offence can be made out against present Applicant. Applicant being a Branch Manager, granted the loan to co-accused Balram Turi. He further submits that charge-sheet has been filed and no custodial interrogation is required. It is further submitted that Applicant is a government servant, co-accused Balram Turi has already been granted regular bail and another co-accused Charnamrit Sharma has also been granted anticipatory bail from this Court vide order dated 13.07.2018 passed in MCRCa No. 489/2019. Therefore, it is prayed that Applicant may also be granted benefit of anticipatory bail.

4. Learned Counsel appearing for the State opposes the bail application.
5. I have heard learned Counsel appearing for the parties and perused the material available with due care.
6. Taking into consideration the submissions put-forth on behalf of the parties, considering the facts and circumstances of the case, evidence collected by the prosecution, alleged role played by the Applicant and the fact that co-accused persons have already been granted bail, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present Applicant.
7. Accordingly, the bail application is allowed.
8. It is directed that in the event of arrest of the Applicant in connection with the aforesaid crime, he shall be released on anticipatory bail on furnishing a personal bond in the sum of Rs. 20,000/- with one solvent surety for the like sum to the satisfaction of the Arresting Officer/Presiding Officer of the concerned trial Court. He shall also

abide by all the following terms and conditions :

- (i) He 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 from disclosing such fact to the Court,
- (ii) He shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) He 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