

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 9902 of 2018**

Lakhan Lal Yadav, son of late Darash Ram Yadav, aged about 57 years, R/o Village Sukulkari, Thana Pachpedi, District Bilaspur (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Police Station Pachpedi, District Bilaspur (CG).

---- Non-applicant

For Applicant	: Mr. Sachin Singh Rajput, Advocate.
For Non-applicant	: Mr. I. Lakra, Dy.G.A.

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

18.01.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the counsel for the State in connection with crime No.18/2018 registered at Police Station Pachpedi, District Bilaspur for the offence punishable under Sections 420, 34 of Indian Penal Code.
3. Case of the prosecution, in brief is that the applicant prepared forged form B-1 and P-2 of the land of complainant Ram Kumar Suryawanshi and obtained agricultural loan of Rs.99,000/- from Rural Bank, Chilhati.
4. Counsel for the applicant submits that the applicant has not committed any offence. He is an innocent and has been falsely implicated in the present case. He further submits that applicant has deposited the entire outstanding amount of the loan account of Rs.93,951/- and loan account has been closed by the Bank hence he may be released on bail.
5. On the other hand, counsel for the State opposes the prayer for grant of bail to the applicant. He further submits that no criminal antecedent reported against the applicant in police case diary.
6. As per enclosed photocopy of the loan application of the applicant in which it has been mentioned that loan account has been closed of him by the bank.

7. Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence; and the trial is likely to take some more time for its final disposal, this Court is inclined to give benefit of Section 439 of the Cr.P.C. to the applicant. Accordingly, the bail application is allowed.

8. It is directed that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Trial Court with the condition that he shall appear before the Trial Court at 11:00 am as and when directed till trial and he would co-operate during the trial, he shall be released on bail.

9. Certified copy as per rules.

SD/-

(Sharad Kumar Gupta)

JUDGE

L/-