

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9930 of 2018**

- Khel Kumar Jangade S/o Chhagnu Ram Jangde Aged About 44 Years (Wrongly Mentioned As Chhangu Raj Jangde), R/o Village Kosir, Police Station Pamgarh, District Janjgir Champa, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station Janjgir-Champa, Chhattisgarh.

---- Respondent**AND****MCRC No. 317 of 2019**

- Bhagwat Prasad S/o Shri Rajaram, Aged About 42 Years, Caste Satnami R/o Village Pamgarh, Police Station and Tahsil Pamgarh, Civil and Revenue District Janjgir-Champa, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through The District Magistrate Janjgir, Civil and Revenue District Bemetara, Chhattisgarh.

---- Respondent

For Applicant (in MCRC No. 9930/2018)	: Shri Anant Bajpai, Advocate.
For Applicant (in MCRC No. 317/2019)	: Shri Paras Mani Shriwas, Adv.
For Respondent/State	: Shri K.K. Dewangan, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**30/01/2019**

1. Heard.
2. Since both cases arise out of same Crime No., therefore, they are being disposed of by this common order.
3. The Applicant (in MCRC No. 9930/2018) has preferred the second bail

application whereas Applicant (in MCRC No. 317/2019) has preferred the first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime No. 425/2018, registered at Police Station – Janjgir, District Janjgir Champa, Chhattisgarh, for the offence punishable under Sections 420, 467, 468, 471/34 of the Indian Penal Code.

4. As per prosecution story, Complainant Sandeep Kumar Mishra lodged a complaint, wherein it has been stated that the present Applicants alongwith other co-accused persons namely Ganpat Ram & Tularam prepared forged documents and on the basis of the said forged documents they have obtained loan of Rs. 9,21,000/- from the bank by using the name of Smt. Champa Bai, who is mother of the Complainant Sandeep Kumar Mishra. Allegedly, at the time of sanctioning loan amount, co-accused namely Sanjay Tirkey was posted as Branch Manager of the said Bank. It is further alleged that at the time of sanctioning loan amount, co-accused Sindhulata Urmal was identified by the present Applicant Khel Kumar and co-accused Tularam. On the basis of the above, offence has been registered and the present Applicants have been taken into custody on 24.07.2018.
5. Learned Counsel appearing on behalf of the Applicants submits that the Applicants are innocent and have been falsely implicated in the case. They further submits that co-accused Sindhulata Urmal has already been granted bail by this Court vide order dated 16.01.2019 passed in MCRC No. 9912/2018. Co-accused persons namely Ganpat Ram and Tularam, who identified co-accused Sindhulata Urmal, have already been granted bail by this Court vide order dated 29.11.2018 passed in MCRC No. 8565/2018 and 26.10.2018 passed in MCRC No. 6523/2018 respectively. Other co-accused persons namely Sanjay Tirkey (Branch Manager) and Ashok Dubey (Advocate), have also been granted anticipatory bail vide order dated 12.12.2018, passed in MCRCA No. 1587/2018 and MCRCA No. 1611/2018 respectively. Counsel for the Applicant namely Khel Kumar further submits that some documents were sent for examination to hand

writing expert but without being examined, the documents were returned to the Investigating Officer vide memo dated 17.10.2018 and at present no any document is available with hand writing expert for examination of the documents. Charge-sheet has been filed. Applicants are in custody since 24.07.2018 and trial will take time. Therefore, they may be released on bail.

6. Per contra, learned Counsel appearing on behalf of the State opposes the bail application but admits the fact that on 17.10.2018, no documents were pending before the hand writing expert for examination.
7. I have heard learned Counsel for the parties and perused the case diary with due care.
8. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the role played by the present Applicants and the allegations levelled against them, Applicant are in custody since 24.07.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
9. Accordingly, the bail application is allowed.
10. It is directed that the Applicants shall be released on bail on each of them furnishing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge