

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9993 of 2018

- Janak Ram, S/o Karno Ram, aged about 40 years, Caste Mahkul, Matpahad, Police Station Bagbahar, Tehsil Pathalgaon, District- Jashpur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Police Station- Bagbahar, District - Jashpur, Chhattisgarh.

---- Respondent

For Applicant : Shri Sanjay Agrawal, Advocate.
For Respondent/State : Shri Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

18/01/2019

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 83/2017, registered at Police Station - Bagbahar, District- Jashpur, (C.G.) for the offence punishable under Sections 420, 120-B, 467, 468 and 471 of the Indian Penal Code.
2. As per the prosecution story, at the time of sanctioning KCC loan from the Central Bank of India, Bagbahar, in the name of Complainant Dilsai, allegedly, co-accused Nanki Ram impersonated as Dilsai and the guarantors of this loan were Ladho Ram and Nohar Sai. Allegations against the present Applicant is that before sanctioning of the said loan, he obtained some documents from the Dilsai. Later on the Complainant namely Dilsai lodged a report, on the basis of which offence has been registered against the present Applicant and he has been taken into custody on 10.10.2018.
3. Learned Counsel appearing on behalf of the Applicant submits that the

Applicant is innocent and has been falsely implicated in the case. He further submits that there is no any direct evidence against the present Applicant for the alleged offence. He also states that charge-sheet has been filed, the Applicant is in custody since 10.10.2018 and trial will take time. Therefore, he may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that there is no any direct evidence against the present Applicant, he is in custody since 10.10.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing 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 his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge