NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 630 of 2020

- Mahendra S/o Shri Atmaram Ganveer Aged About 50 Years R/o Village - Motipur, Post - Chikhli, Tahsil - Rajnandgaon, District - Rajnandgaon, Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through - P.S. - Dongargarh, District - Rajnandgaon, Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant	:	Shri Devershi Thakur, Advocate
For Respondent	:	Shri Anurag Verma, P.L.

Hon'ble Smt Justice Rajani Dubey

Order on Board

13/03/2020

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.525/2019, registered at Police Station – Dongargarh, District Rajnandgaon (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 34 IPC.

2. The prosecution story, in brief, is that the Branch Manager, Punjab National Bank, Branch Bhandarpur made a written report at police station Dongergarh alleging therein that the applicant had applied for Kisan Credit Card Loan (KCC) and he was sanction Rs.3,00,000/- after due formalities. For obtaining loan, the applicant had produced paper of land bearing Kh. No.70/3, 71/8 total Khasra 2 Rakba 16.36 of village Limautola, Tahsil Khairagarh, District Rajnandgaon and B-1, P-2, C-Form, map and Rin Pustika No.1756045. Despite notice when the applicant did not repay the loan amount, the

verification of land was done wherein the land was not found in the name of applicant. Based on this, offence has been registered. The applicant has been taken into custody on 29.11.2019.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the bank officials have fraudulently taken several loans in the name of local villagers which was never received by them. He also submits that the applicant never applied for loan and he came to know about such loan only when he received the notice from Bank. He also submits that the applicant is in custody since 29.11.2019 and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.

5. I have heard learned counsel for the parties and perused the case diary.

6. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact that the present applicant is in custody since 29.11.2019 and the disposal of case may take some time, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the application is allowed. The applicant is ordered to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed till the disposal of the trial.

Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Judge

Pekde