

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 560 of 2020**

Tikam Sahu S/o Tijuram Sahu Aged About 40 Years R/o Village Baspahad,
Police Station Bortalab, Tahsil Dongargarh, District Rajnandgaon,
Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station
Dongargarh, District Rajnandgaon, Chhattisgarh.

---- Respondent

For the Applicant : Shri Abhishek Sharma, Advocate.
For the Respondent/State : Shri Sudeep Verma, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****14.02.2020**

Heard.

1. This is the second bail application of the applicant. The first bail application of the applicant was dismissed as withdrawn on 20.8.2019 in M.Cr.C. No. 4524 of 2019. The applicant has been arrested in connection with Crime No.180 of 2018, registered at Police Station – Dongargarh, District – Rajnandgaon, Chhattisgarh for the offence punishable under Sections 419, 420, 467, 468, 471 and 120B/ 34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in this case. He is in jail since 5.11.2018. All the other co-accused persons in this case have been granted bail by this Court as well as by the Court below. There are in total 42

witnesses to be examined by the trial Court but so far after passing of about more than one year only four witnesses have been examined. The trial is getting delayed and this applicant is languishing in jail without any fault on his part. Hence, for these reasons, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that this applicant is the main accused and had been the master mind of the whole offence of cheating and forgery. Hence, the applicant is not entitled for grant of regular bail.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, this applicant played a role by providing forged documents to the other accused persons who is impersonated as other averment for obtaining loan from the Dena Bank, Dongargarh, Rajnandgaon which has been misappropriated by this applicant and the other co-accused persons.

6. Although, the applicant appears to be the main accused in this case but the trial in this case is lingering on. After passing of more than one year, so far only 4 witnesses have been examined in the trial against the applicant which shows that the trial is getting prolonged indefinitely. Hence, for these reasons, I feel inclined to grant regular bail to the applicant in this case.

7. Consequently, application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge