

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 876 of 2020**

- Devnarayan S/o Gaya Prasad , Aged About 50 Years Caste Bargah, R/o Village Basdevpur, P.S. And Tahsil Baikunthpur, District Koriya, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Police Station Baikunthpur, District Koriya, Chhattisgarh.

---- Respondent

For Applicant : Shri Pawan Shrivastava, Advocate.
For Respondent/State : Shri Anand Verma, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**24/02/2020**

1. The Applicant has preferred the second bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 83/2019, registered at Police Station – Baikunthpur, District – Koriya, Chhattisgarh, for the offence punishable under Sections 420, 467, 468 of I.P.C.
2. As per the prosecution story, one Arvind Kumar was arrested in connection with crime number 208/2019 registered at police station Charcha. While furnishing his bail, surety was given by one Gaya Prasad. Later on, it was found that Gaya Prasad had already been died prior to ten years of giving surety. It is alleged that present applicant who is the son of Gaya Prasad, impersonated himself as Gaya Prasad by sticking his photo in place of Gaya Prasad, thereafter, furnished the surety. On the basis of the above, offence has been registered and applicant has been taken into custody on 20.04.2019.
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 applicant has no previous antecedents. Applicant has been arrested on 20.04.2019, charge-sheet has been filed and trial is likely to take some time. Therefore, it is prayed that applicant 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 case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that applicant has no previous antecedents, he is in custody since 20.04.2019, charge-sheet has been filed and trial is likely to take some time, therefore, 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