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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1080 of 2020**

- Surendra Kumar Borker S/o Late Shri Bhaiyalal Borker Aged About 59 Years By Caste Mahar, R/o Shanker Nagar, Goura Chowk, Ward No. 11, District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Petitioner**Versus**

- The State Of Chhattisgarh Through Police Station Dongargarh, District Rajnangaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Respondent**And****MCRC No. 1085 of 2020**

- Surendra Kumar Borker S/o Late Shri Bhaiyalal Borker Aged About 59 Years By Caste Mahar, R/o Shanker Nagar, Goura Chowk, Ward No. 11, District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Police Station Dongargarh, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Respondent**And****MCRC No. 1083 of 2020**

- Surendra Kumar Borker S/o Late Shri Bhaiyalal Borker Aged About 59 Years By Caste Mahar , R/o Shanker Nagar , Goura Chowk, Ward No. 11, District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Petitioner**Versus**

- The State Of Chhattisgarh Through Police Station Dongargarh, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Respondent**And****MCRC No. 1079 of 2020**

- Surendra Kumar Borker S/o Late Shri Bhaiyalal Borker, Aged About 59 Years By Caste Mahar, R/o Shanker Nagar, Goura Chowk, Ward No. 11, District Durg Chhattisgarh, District : Durg, Chhattisgarh

---- **Petitioner**

Versus

- State Of Chhattisgarh Through Police Station Dongargarh, District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- **Respondent**

And

MCRC No. 1076 of 2020

- Surendra Kumar Borker S/o Late Shri Bhaiyalal Broker Aged About 59 Years By Caste Mahar, R/o Shanker Nagar , Goura Chowk, Ward No. 11, District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- **Petitioner**

Versus

- The State Of Chhattisgarh Through Police Station Dongargarh District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- **Respondent**

And

MCRC No. 1088 of 2020

- Surendra Kumar Borker S/o Late Shri Bhaiyalal Borker Aged About 59 Years By Caste Mahar, Resident Of Shanker Nagar, Goura Chowk, Ward No. 11, District Durg Chhattisgarh, District : Durg, Chhattisgarh

---- **Petitioner**

Versus

- The State Of Chhattisgarh Through Police Station Dongargarh, District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- **Respondent**

For Applicant	:	Shri Parag Kotecha, Advocate.
For Respondent	:	Shri Anil Tripathi, Shri Anurag Verma, Shri B.L. Sahu and Shri Wasim Miyan, P.L.

Hon'ble Smt Justice Rajani Dubey

Order on Board

24/02/2020

1. Since in the aforesaid bail applications the applicant is one and the same, they are being disposed of by this common order.
2. The applicant has preferred these first bail applications under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime Nos.518/2019 in MCRC No.1080/2020, 512/2019 in MCRC No.1085/2020, 503/2019 in MCRC No.1083/2020, 504/2019 in MCRC No.1079/2020, 511/2019 in MCRC No.1076/2020 and 514/2019 in MCRC No.1088/2020 registered at Police Station - Dongargarh, District Rajnandgaon (C.G.) for the offence punishable under Sections 420, 467, 468, 471/34 and 120-B IPC.
3. The allegation against the present applicant is that during his posting as Branch Manager in the Punjab National Bank, Branch Bhandarpur in the year 2013, he obtained illegal benefit from the bank by involving the Kisan Credit Card (KCC) loan recipients in a criminal conspiracy and acquired such loan by fraudulently preparing false and forged revenue records in connivance with certain bank officials and shared the loan amount among themselves. Based on this, offence has been registered. The present applicant is in custody since 18.12.2019 in MCRC No.1080/2020, 24.12.2019 in MCRC No.1085/2020, 18.12.2019 in MCRC No.1083/2020, 18.12.2019 in MCRC No.1079/2020, 18.12.2019 in MCRC No.1076/2020 and 23.12.2019 in MCRC No.1088/2020 in connection with the crime numbers as aforementioned.
4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the applicant was posted as Branch Manager in the Punjab National Bank, Branch Bhandarpur, and on the basis of verification of documents by the Field Officer, the loan has been sanctioned. There is no direct evidence against the applicant and only on the basis of suspicion, the present applicant has been arrested. He also submits that the applicant has taken voluntary retirement in

the year 2013 and he has no role in the alleged offence. He also submits that on 16.12.2019, other co-accused persons namely Keshavram in MCRC No.6968/2019, Punaram in MCRC No.7625/2019 and Maniram in MCRC No.6952/2019 have already been granted bail by this Court. That apart, the applicant is in custody for more than four months, charge sheet has been filed, the offence is triable by Magistrate and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

5. On the other hand, learned counsel for the State opposed the bail applications. He submits that the applicant fraudulently obtained KCC loan amount meant for farmers.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the entire circumstances of the case, gravity of offence and further considering the fact that the applicant was a Govt. Servant (Branch Manager in Punjab National Bank) and the manner in which the KCC loan is alleged to have been sanctioned, I am not inclined to release him on bail.
8. Accordingly, his applications filed under Section 439 of the Code of Criminal Procedure are rejected.
9. Certified copy as per rules.

Sd/-

(Rajani Dubey)
Judge