

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.2517 of 2020

- D. Indu @ Dosapati Indu, W/o D. Sridhar, Aged About 35 Years, R/o Flat No.C-401, Harshit Fortuna Near Hotel Singhanian Partico Tatibandh, Police Station - Aamanaaka Raipur, District Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through - Station House Officer, Police Station - Civil Lines, Raipur, District Raipur, Chhattisgarh

---- Respondent

MCRC No.2797 of 2020

- Krishna Shankar Mishra, S/o Shri Govind Narayan Mishra, Aged About 27 Years, R/o Village Kapisda, Bamhanidih, District Janjgir Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Civil Lines, District Raipur, Chhattisgarh

---- Respondent

For Applicants	Shri Sunil Sahu and Shri Dharmesh Shrivastava, Advocates
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For Respondent	Ms. Fouzia Mirza, Addl. AG
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Proceeding through Video Conferencing

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board

26/08/2020

1. The applicants have preferred these bail applications under Section 439 of the CrPC, as they have been arrested in

connection with Crime No.147/2020, registered at Police Station Civil Lines, Raipur, District Raipur (C.G.) for the offence punishable under Sections 419, 420, 467, 468, 471 & 120-B of IPC.

2. A fraud to the extent of Rs.119.36 Crore has surfaced in the Union Bank of India, Shankar Nagar Branch, Raipur, wherein forged sale deeds were used to obtain housing loan. In all 5 loan transactions photographs of persons different than the purchaser were affixed in the sale deeds and the same persons' photographs were used in the loan papers to impersonate the borrower.
3. As against the present applicants, it is alleged that in the account of applicant D. Indu, a sum of Rs.30 Lakhs was transferred by land seller Sharadchandra, whereas the applicant Krishna Shankar Mishra is the employee of Ravi Pandey, who is the empaneled valuer of the concerned bank. It was the applicant Krishna Shankar Mishra who introduced the accused Sunil Soni to the Bank's Branch and thereafter Sunil Soni initiated the entire fraud. Thus, role of Krishna Shankar Mishra is only to the extent of introducing the kingpin Sunil Soni with the bank officers.
4. Learned State counsel would oppose the prayer for grant of bail.
5. I am alive of the fact that bail application of accused Ramanayya Nadupuru in MCRC No.2953/2020 has been dismissed by this Bench, however, the case of the present applicants is different than the case of Ramanayya Nadupuru, inasmuch as he had participated in commission of actual fraud, whereas the present

applicants have no role in commission of fraud and in the account of one of them namely D. Indu, the amount has been transferred and the other applicant had only introduced the accused Sunil Soni to the bank officers.

6. Considering that the applicant D. Indu is a lady, aged about 35 years, and is in jail since 17.03.2020, as also the role of this applicant and applicant Krishna Shankar Mishra in the crime, this Court is inclined to release them on bail.
7. Accordingly, both the bail applications are allowed and the applicants are directed to be released on bail on each of them executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

Sd/-
Prashant Kumar Mishra
Judge