

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2900 of 2020**

- Pradeep Bhatiya S/o Late Deshraj Bhatiya aged about 62 years, R/o House No. 5, Indrasen Nagar, mangla, Bilspur, P.S. Civil Lines, Tahsil & District-Bilaspur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through – Station House Officer, P.S. Civil Lines, Bilaspur, Tahsil & District-Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. T. K. Jha, Adv.
For Respondent/State	:	Mr. K. K. Singh, G.A.
For Objector	:	Mr. Anoop Mjumdar, Adv.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****10/08/2020**

1. Heard on admission.
2. Admit.
3. The accused/applicant has moved this **second** bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 542/2019 registered at Police Station Civil Lines, Bilaspur, District-Bilaspur (C.G.) for the offence punishable under Sections 420, 34 and 120-B of the IPC.
4. The first bail application of the applicant was dismissed as withdrawn with liberty to revive the same after filing of charge-sheet by this Court on 25.02.2020 in MCRC No. 594/2020.
5. The prosecution story in brief is that, the complainant and other victims lodged a written complaint that the applicant along with other co-accused namely, Sanjay Narang and his wife Anita Narang has committed forgery, illegally taking money from the RD account of the complainant behind his back using the withdrawal form which was signed and kept in

by him for depositing the amount into MIS scheme. Based on this offence has been registered against the present applicant and other co-accused persons.

6. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant is not a main accused and he is an employee of the agency namely Akshay Consultancy and the applicant never misused the amounts of any of the depositors with the post office through the agency. He next submits that the applicant is only a relative of the Sanjay Narang so that he was working as an employee in that consultancy. He also submits that the applicant is a 63 years old person and he is in jail since 11.01.2020, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
7. On the other hand, counsel for the State opposes the bail application and submits that the allegation against the applicant is of serious in nature; the applicant along with other co-accused persons committed forgery and illegally taken lakhs of rupees of the depositors, therefore, no case is made out for grant of bail.
8. Learned counsel for the objector opposes the bail application with the submission that the applicant is a relative of the Sanjay Narag who is the owner of the consultancy, and the applicant is also involved in that forgery, if the applicant may be granted bail he will be tempered the documents and will be influenced the witnesses of the case, therefore, the applicant may not be enlarged on bail.
9. I have heard learned counsel for the parties and perused the case diary.
10. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering that the main allegation is against the Sanjay Narang and Anita Narang. The applicant is a 63 years old man and he is in jail since 11.01.2020, and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

11. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 1,00,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**