

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 831 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
Khamhardih, District Raipur Chhattisgarh.

---- Respondent

For Applicant : Mr. Dharmesh Shrivastava, Advocate.
For Respondent/State : Mr. Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

02/09/2020

1. The matter is heard through video conferencing.
2. The applicant has filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as he is apprehending his arrest in connection with crime no. 54/2020, registered at Police Station Khamhardih, Distt. Raipur (C.G.) for the offence punishable under Sections 120-B, 419, 420, 467, 468 & 471 of the IPC.
3. According to the case of prosecution, FIR has been lodged by one Narendra Kumar Marskole, Manager of Indian Overseas Bank, Branch Shankar Nagar, Rajiv Nagar Colony, Raipur (C.G.) alleging therein that between 06.11.2018 to 20.08.2019 total 12 persons have obtained house loan total amounting to rupees Two Crore Twenty Four Lacs from the bank by submit forged documents. It has been further alleged that they have also misused the sanctioned loan amount. Allegedly, the applicant was the assistant of co-accused Ravi who was the valuer of property on which the loan amount has been sanctioned. On the basis of said background, FIR has been registered against the applicant and other co-accused persons.
4. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case.

There is no evidence available on record against the applicant and prima facie no case can be made out against him. The Counsel further submits that only the allegation against the applicant is that at the time of incident, he was the assistant of co-accused Ravi. The Counsel lastly submits that neither any role has been played by the applicant in the crime in question nor he signed any documents relating to the loan. Hence, it is prayed that the applicant may be granted benefit of anticipatory bail.

5. Per contra, learned counsel appearing on behalf of State opposes the bail application.
6. I have heard learned Counsel for the parties.
7. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by both the counsel appearing for the parties and allegations levelled against the applicant. Without further commenting on other merits of the case, in my considered opinion, it is a fit case for grant anticipatory bail to the applicant.
8. Accordingly, the anticipatory bail application is allowed.
9. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a personal bond for a sum of Rs. 25,000/- with one solvent surety for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:-
 - I. That accused/applicant shall made himself available for interrogation before the concerned Investigating Officer as and when required;
 - II. The accused/applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
 - III. The accused/applicant shall not act, in any manner which will be prejudicial to fair and expeditious trial; and
 - IV. The applicant shall appear before the Trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(Arvind Singh Chandel)
Judge