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HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5408 of 2020

- Tota T. Ravi Kumar S/o Late T. Bal Sunder Rao, Aged About 40 Years, R/o Sri Tirumula, Sector-3, Balaji Nagar, Khamtarai, District Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through The Station House Officer, PS New Rajendra Nagar, Raipur, District Raipur, Chhattisgarh

---- Non-applicant

MCRC No. 5418 of 2020

- Tota T. Ravi Kumar S/o Late T. Bal Sunder Rao, Aged About 40 Years, R/o Sri Tirumula, Sector-3, Balaji Nagar, Khamtarai,, District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through The Station House Officer, PS City Kotwali, Raipur, District : Raipur, Chhattisgarh

---- Non-applicant

MCRC No. 5523 of 2020

- Tota T. Ravi Kumar S/o Late T. Bal Sunder Rao, Aged About 40 Years, R/o Sri Tirumula, Sector-3, Balaji Nagar, Khamtarai, District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through The Station House Officer, P.S. Azad Chowk, Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Non-applicant

For Applicant –Shri B.D. Guru, Advocate.

For Non-applicant/State – Shri Rahul Jha, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

06-10-2020

1. All these three MCRC are being decided by this common order as the applicant is one and the same in all these cases.
2. These applications have been filed by applicant Tota T. Ravi Kumar for grant of regular bail as in all these cases he has been arrested on 28-05-2020

in connection with following crime numbers and offences registered in the police stations mentioned in the table below:-

S.No.	MCRC No.	Crime No.	Offence	Police Station
1.	MCRC No. 5408 of 2020	159/2020	U/s 419, 420, 467, 468, 471 & 120-B of the IPC	New Rajendra Nagar, Raipur, District Raipur, Chhattisgarh
2.	MCRC No. 5418 of 2020	150/2020	U/s 120-B/34, 419, 420, 467, 468 & 471 of the IPC	City Kotwali, Raipur, District Raipur, Chhattisgarh
3.	MCRC No. 5523 of 2020	88/2020	U/s 419, 420, 120-B, 467, 468 & 471 of the IPC	Azad Chowk, Raipur, District Raipur, Chhattisgarh

3. It is submitted by learned counsel for the applicant in all these cases that all these applications are first applications filed by the applicant under Section 439 of the Cr.P.C. before this Court. On behalf of the applicant it is submitted in all the three cases that the applicant has been falsely implicated. Name of this applicant never appeared in the FIR or in the statement of the witnesses, he has been implicated only on the basis of the memorandum statement given by co-accused Sunil Soni and others. Pursuant to the memorandum statement one laptop was seized from this applicant on allegation that the false documents were prepared by making use of this laptop. The forensic report with respect to that laptop is negative, therefore, there is nothing incriminating against the applicant. The applicant has been granted bail in one of the similar case registered against him by the Sessions Court itself and the copy of the same has been filed in support of these applications. Therefore, it is prayed that the applicant may be granted regular bail in all these three cases.

4. Learned counsel for non-applicant/State opposes the applications filed by the applicant and submits that a racket had been working for preparing fake loan cases with the help of fake documents and making use of the same, fake loans were got sanctioned from the banks and total loss that has occurred to

the banks is Rs.1,20,00,000/-. Therefore, it is offence of huge scale and hence the applicant is not entitled for grant of bail in any of these cases.

5. Heard learned counsel for the parties and perused the documents.

6. The FIR have been lodged in Crime No.159/2020, Crime No.150/2020 and Crime No.88/2020 on behalf of the Syndicate Bank, Pachpedi Naka, Raipur, Punjab National Bank and Indian Overseas Bank respectively that loan sanctioned by the banks to fictitious party appears to be suspicious. The concerned police stations registered the offences in which the main accused Sunil Soni and another were arrested who have made memorandum statement involving this applicant as being associated in commission of crime and the role attributed to the applicant is this, that he was the author of the fake documents which were prepared from the laptop possessed by him.

7. Considered on the submissions and the facts of the cases. The evidence present against the applicant is only in the memorandum statement given by co-accused persons and further considering that the forensic report with respect to the contents of the laptop has nothing to allege against this applicant, therefore, under these circumstances I feel inclined to allow all these three applications filed by the applicant for grant of regular bail.

8. Consequently, all these three applications filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail are hereby allowed. It is directed that the applicant shall be released on bail on his furnishing in each of these cases a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge