

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.7696 of 2020

Hardev Kurre @ Kondu Kurre S/o Shivprasad Kurre Aged About 36 Years
Resident Of Village- Navagaon Katai, P.S. Navagarh, Distt. Bemetara,
Chhattisgarh **---- Applicant**

Versus

The State Of Chhattisgarh Through Station House Officer Police Station
Bemetara, District Bemetara, Chhattisgarh **---- Respondent**

For Applicant	:	Shri Rajkumar Pali, Advocate
For Respondent/State	:	Smt. Hamida Siddiqui, Dy. G.A.

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

15/12/2020

Heard.

1. The applicant has been arrested in connection with Crime No.790 of 2017 registered at Police Station- Bemetara, District Bemetara (CG) for the alleged commission of offence under Section 419, 420, 467, 468, 471/34 of IPC.
2. Case of the prosecution is that the applicant and other co-accused prepared forged revenue papers relating to land record and used it for the purposes of loan from the Bank. As against the present applicant, the allegation that in order to obtain loan of Rs.99,000/-, the applicant used rin pustika of one Malik Ram and obtained loan of Rs.99,000/-.
3. Learned counsel for the applicant would submit that the allegations are false and the applicant has not committed any such offence as he has taken loan from the bank and whatever amount remains to pay, he is ready to pay whole amount to the Bank. He would further submit that co-accused Tilakram against whom the allegations are identical and two other Bank Officer Prakash Chandra Dhruwe and Sunit Yadav have been granted regular bail by this Court on 08.05.2018. He would also submit that the co-accused have been granted bail by the trial Court itself, therefore, at this stage, when investigation is complete, charge-sheet has been filed and that

the applicant is in jail since 02.10.2020, the applicant may be granted bail.

4. On the other hand, learned counsel for the State opposes the prayer for grant of bail by submitting that prima facie case is made out because the rin pustika which was submitted by the applicant at the time of applying for grant of loan was showing the land of someone else which did not belong to present applicant.
5. Considering the submission of learned counsel for the parties, particularly taking into consideration the amount of loan obtained by the applicant and further consideration that investigation is complete, charge-sheet has been filed and co-accused Tilak Ram Ratre has been granted bail in M.Cr.C. No.3040/2018 vide order dated 08.05.2018, the application is allowed.
6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:
 - (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) 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.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge