

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8042 of 2019**

- Rupesh Guru S/o Late Shri Devmant Guru Aged About 31 Years R/o Village Bhandarpuri, P. S. Arang, Raipur District Raipur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through District Magistrate, Durg District Durg, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Pragalbha Sharma along with Mr. Akash Kumar Kundu, Adv.
For Respondent/State	: Mr. Vinod Kumar Tekam, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****10/02/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 79/2017 registered at Police Station-Amleshwar, Durg, District-Durg (C.G.) for the offence punishable under Sections 420, 467, 468 and 471/34 of the IPC.
2. The prosecution story, in brief, is that, complainant Rupesh Kumar Joshi lodged a report that his Rin Pustika lost in the year 2013 on which he received second copy of the said Rin Pustika. But, in the year 2015 he received a notice from Gramin Bank, Rajnandgaon to pay the loan amount of Rs. 6,25,000/-, on enquired about the said loan by the complainant he found that the present applicant withdraw the loan amount of Rs. 4,90,000/- from the said bank, in the name of complainant, on the basis of complainant's Rin Pustika with the help of one other co-accused person. Based

on this, offence has been registered against the present applicant and other co-accused.

3. 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 charge-sheet has been filed and co-accused has already been granted bail in MCRC No. 6752/2017 so, the present applicant may also be granted benefit of bail. The applicant is in jail since 27.09.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the other co-accused has already been granted bail. The applicant is in jail since 27.09.2019 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.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- 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