

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 2161 of 2019

Shyam Bandiya S/o Mr. Hindu Aged About 42 Years Occupation Bank Manager Of Bank Of Baroda, R/o Sa. Putulpeed, Post Galudih, P.S. Kuchai, District Saraikela, Khaswagarh, Jharkhand. Present Address Vijay Vihar, Avanti Vihar, P.S. Telibandha, Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Police Station Arang, Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Ankur Agrawal, Advocate appear through video conferencing.

For Respondent/State : Mr. V.R. Tiwari, Additional A.G. appear through video conferencing.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

02/06/2020

1. 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. 596/2019, registered at Police Station Arang, Distt. Raipur (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 34 of the IPC.
2. As per prosecution story, the applicant is the Branch Manager of Baroda Bank, Arang, Raipur (C.G.). It has been alleged that co-accused Manoj @ Krishna Kumar Yadav and Chandra Kumar Sahu fraudulently by using the name of Radheshyam and Pawan Kumar Sahu, prepared forged documents and obtained loan from the said bank. Allegedly, the applicant being a Branch Manager of the said bank also involved in the crime in question. On the basis of said background, offence has been registered.
3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. The Counsel further submits that *prima facie* no case can be made out against the applicant. An advocate has verified the documents and on the basis of search report made by him, the applicant has sanctioned loan

amount to the co-accused persons. He has no personal knowledge about the forged documents. The Counsel further submits that total 9 cases have been registered against the applicant out of which in 8 cases, he has already granted benefit of anticipatory bail. Hence, it is prayed that in the present case also, he may be granted benefit of anticipatory bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by both the counsel appearing for the parties. Without further commenting on merits of the case, in my considered opinion, it is a fit case for grant anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application is allowed.
8. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a personal bond in the 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