

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8524 of 2019**

- Shyamal Das S/o Late Shri Dilip Das Aged About 45 Years R/o House No. 229, Podi Bahar, Korba, Outpost Rampur, District Korba, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Outpost Rampur, Police Of Police Station Kotwali, Korba, District Korba, Chhattisgarh.

---- Respondent**MCRC No. 1 of 2020**

- Smt. Sulatadas W/o Shri Ujjawal Das Aged About 35 Years R/o House No. 229, Podi Bahar Chowk Kora, Outpost Rampur, District Korba, Chhattisgarh.

----Applicant**Versus**

- State Of Chhattisgarh, Through : Outpost Rampur, Police Of Police Station Kotwali, Korba, District Korba, Chhattisgarh.

---- Respondent**MCRC No. 222 of 2020**

- Anup Majumdar S/o Dilip Majumdar Aged About 47 Years R/o L.I.G-104, Shivaji Nagar Korba, Police Chowki Rampur, Station Kotwali Korba, District Korba, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Police Chowki Rampur, Station Kotwali, District Korba, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Anil Gulati, Adv. in MCRC Nos. 8524/2019 & 1/2020.
		Mr. Anshul Tiwari, Adv. in MCRC No. 222/2020.
For Respondent/State	:	Mr. Anil Tripathi, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board**

11/02/2020

1. As all three MCRCs arise out of same crime number, they are being heard and disposed of by this common order.
2. The accused/applicants have moved these first bail applications under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 794/2019 registered at Police Station Out Post-Rampur, P.S. Kotwali, Korba, District-Korba (C.G.) against applicants for the offence punishable under Sections 420, 34 of the IPC.
3. The prosecution story, in brief is that, complainant lodged a complaint that the applicant Anup Majumdar in conspiracy with the present applicants Shyamal Das, Sulatadas and other co-accused person has committed fraud with Indian Overseas Bank by approving the duplicate gold ornaments as original one and thereafter gold loan was sanctioned of Rs. 14,39,000/- and the said amount transferred to the account of the applicants. Based on this offence has been registered against the present applicants and other co-accused person.
4. Learned counsels for the applicants submit that the applicants are innocent and have been falsely implicated in the crime in question. They further submit that charge-sheet has been filed and the applicants are in jail since 02.12.2019 and, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
5. On the other hand, counsel for the State opposes the bail application.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicants and further considering the facts that the applicants are in jail since 02.12.2019, 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 applicants on bail. Accordingly, the applications are allowed.

8. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 50,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

**Sd/-
(Rajani Dubey)
Judge**