

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**(Proceedings through Video Conferencing)****M.Cr.C. No. 4747 of 2021**

- Satanand alias Sattu Parmar, Aged About 63 years, S/o. Late Shri Jagmohan Singh Parmar, R/o. Brahmin Para Doctor Karuna Pandey Street, Parmar Bada, P.S. - Azad Chowk, Raipur (C.G.), Tehsil & District Raipur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through – P.S. Civil Lines, District Raipur (C.G.)

---- State/Non-Applicant**And****M.Cr.C. No. 3140 of 2021**

- Ashok Sinha S/o Late Bhulau Ram Sinha, aged about 59 years, R/o Village Mongrapali, P.S. Jonk, Tehsil & District Nuapada (Odisha)

---- Applicant**Versus**

- State of Chhattisgarh, Through SHO, Police Station Civil Lines, Raipur, District Raipur (C.G.)

---- State/Non-Applicant

For Applicant	:	Shri Kishore Bhaduri, Senior Advocate with Shri Sabyasachi Bhaduri, Advocate appear in M.Cr.C. No. 4747/2021
For Applicant	:	Shri B.D. Guru, Advocate appears in M.Cr.C. No. 3140/2021
For Non-Applicant/State	:	Shri K.K. Singh, Government Advocate

Hon'ble Shri Justice Gautam Chourdiya, J**Order on Board****04.08.2021****M.Cr.C. No. 3140/2021:**

1. Shri B.D. Guru, learned counsel appearing on behalf of applicant Ashok Sinha i.e. M.Cr.C. No. 3140/2021, wants time to collect document and seek instructions from his client, therefore, this application (M.Cr.C. No. 3140/2021) may be decided separately from bail application i.e. M.Cr.C. No. 4747/2021.
2. At the request of Shri B.D. Guru, Advocate, list the bail application i.e. M.Cr.C. No. 3140/2021 after four weeks.

3. M.Cr.C. No. 4747 of 2021:

Default has been removed.

Heard.

Admit.

4. With the consent of learned counsel for the parties, the bail application i.e. M.Cr.C. No. 4747/2021 is heard finally.
5. Applicant - Satanand alias Sattu Parmar has preferred this first bail application (M.Cr.C. No. 4747/2021) under Section 439 of Cr.P.C. as he is in jail since 09.04.2021 in connection with Crime No. 122/2021 registered in Police Station – Civil Lines, District Raipur (C.G.) for the offence punishable under Sections 420, 467, 468, 471 read with Section 34 of IPC.
6. The allegation against the present applicant is that he is in connivance with other co-accused persons committed forgery for the purpose of cheating in order to have illegal gains. After investigation, charge-sheet has been filed against all the accused persons.
7. Learned Senior Counsel, appearing on behalf of the applicant, submits that the allegations levelled against the applicant are totally false and frivolous. The name of the applicant does not find place in the F.I.R. There is nothing to show the involvement of the applicant in the aforesaid crime that he intentionally did any such act to cause illegal gains to the co-accused persons or himself. No amount in question has been credited either in the account of applicant or his relatives or acquaintances. The applicant is in jail since 09.04.2021, he has no criminal antecedents, there is no likelihood of the applicant tampering with the prosecution evidence or absconding and trial is likely to take some time for its final disposal. Therefore, the applicant be released on bail by this Court.
8. On the other hand, learned counsel for the Non-Applicant/State opposes the bail application.
9. Having heard learned counsel for the parties, having regard to the facts and

circumstances of the case, the fact that the applicant at the relevant time was working in the Bank as an accountant whose duty was only to check the arithmetical/calculation mistakes in the bills forwarded to him, no such illegal gains was transferred in the account of the applicant or his relatives whereas the amount in question was transferred in the account of relatives of co-accused Gangaram Sinha, the detention period of the applicant who is 63 years old, the fact that there is no likelihood of the applicant tampering with the prosecution evidence or absconding as admitted by both the counsels and due to covid-19 pandemic, charge-sheet has already been filed, conclusion of trial may take some time, without commenting anything on merits of the case, the application (M.Cr.C. No. 4747/2021) is allowed.

10. It is directed that in the event of applicant Satanand alias Sattu Parmar executing a personal bond for a sum of Rs.2,00,000/- with two sureties of Rs.1,00,000/- each to the satisfaction of the concerned Trial Court, he shall be released on bail, on following conditions :-

- i. he 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 fact to the Court.
- ii. he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- iii. he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
- iv. he shall strictly follow the COVID-19 protocol issued by the Central Government / State Government / Local Authority.
- v. he shall not involve himself in any offence of similar nature in future.

11. Let a copy of this order be forwarded to the concerned Police Station forthwith who shall inform the trial Court in the event of applicant involving himself in similar nature of offence.

12. In result, M.Cr.C. No. 4747 of 2021 is allowed on the above terms and conditions.

Sd/-
(Gautam Chourdiya)
Judge