

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.4984 of 2021**

- Manoj Vaishnav, aged 38 years, s/o Shri Uttam Das Vaishnav, at near Sheetla Talab, New Changorbhata, Raipur (CG)
---- Applicant (In Jail)

Versus

- State of Chhattisgarh, through SHO, P/S- Ganj, District- Raipur (CG).

....Non-applicant

&

MCRC No.6788 of 2021

- Manoj Vaishnav, aged 38 years, s/o Shri Uttam Das Vaishnav, at near Sheetla Talab, New Changorbhata, P/S. D.D. Nagar Raipur (CG)

---- Applicant (In Jail)

Versus

- State of Chhattisgarh, through SHO, PS- Kotwali, Raipur, District Raipur (CG).

....Non-applicant

For Applicant	:	Mr. Vinay Nagdev, Advocate.
For Non-applicant	:	Mr. D.P. Singh, Dy. Advocate General.

Hon'ble Mr. Justice Parth Prateem Sahu**Order On Board****1.11.2021**

1. As applicant in above two bail applications is one and the same, they are being heard together and disposed off by this common order.
2. M.Cr.C. No.4984/2021 has been filed for grant of regular bail to applicant, who is in custody since 30.5.2020 in connection with Crime No.74/2020 registered at Police Station Ganj, Raipur (CG) for commission of offence punishable under Sections 419, 420, 467, 468, 471, 120B of the Indian Penal Code.

3. M.Cr.C. No.6788/2021 has been filed for grant of regular bail to applicant who is in custody since 30.5.2020 in connection with Crime No.150/2021 registered at Police Station Kotwali, Raipur (CG) for commission of offence punishable under Sections 419, 420, 467, 468, 471, 120B, 34 of the Indian Penal Code.
4. Case of prosecution, in brief, is that applicant prepared forged seal of government officials at the instance of co-accused D. Sridhar Rao by charging higher rate. Seals prepared by applicant were used by co-accused persons in preparing forged and fabricated revenue documents and by submitting those forged and fabricated documents, they have obtained loan from different financial institutions.
5. Mr. Vinay Nagdev, learned counsel for applicant would submit that except memorandum statement of applicant and co-accused D. Sridhar Rao, there is no other material available to connect applicant with crime in question. Police has not seized any material from the office of applicant to show that it is applicant who prepared forged seals of government officials. Applicant is having the business of making seal along with other. The articles seized are being used in the business of applicant. Applicant has been granted regular bail by the Court below concerned in connection with Crime Nos.147/2020 & 173/2020 registered against him in Police Station Civil Lines, Raipur & Police Station Telibandha, Raipur respectively. Applicant is in jail since 30.5.2020, offences alleged against applicant are triable by Magistrate 1st Class and conclusion of

trial may take some time. Co-accused Tota T. Ravi Kumar against whom allegation is that he prepared forged documents from his laptop/computer has already been granted regular bail by Co-ordinate Bench in M.Cr.C. Nos.5408/2020, 5418/2020, 5523/2020. Hence, applicant may be enlarged on regular bail.

6. Per contra, Mr. D.P. Singh, learned Deputy Advocate General for the State opposes the submissions made by learned counsel for applicants and submits that involvement of applicant in crime in question is very much there, which is apparent from memorandum statement of applicant himself and co-accused D. Sridhar Rao. Based on memorandum statement of applicant, computer, printer, key board were seized from his shop. Applicant is involved in four other cases of similar nature, hence he is not entitled for grant of regular bail.
7. I have heard learned counsel for the parties.
8. Taking into consideration nature of allegations; the fact that applicant is engaged in business of preparing rubber stamps & seal with other works; he was arrested on the basis of memorandum statement of co-accused D. Sridhar Rao; based on memorandum statement of applicant only printer, computer, keyboard etc. have been seized from his shop and he is in jail since 30.5.2020, without commenting anything on merits of case, I am inclined to allow both these bail applications.
9. Accordingly, the applications **(M.Cr.C. Nos.4984/21 &**

6788/21) are allowed and it is directed that **applicant Manoj Vaishnav** shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the Court below concerned on the conditions that;

- a) he shall appear before the trial Court concerned regularly on each & every date unless exempted from appearance.
- b) he shall not, in any manner, tamper with the prosecution witnesses.
- c) If he is found involved in similar offence in future, it will be open for the State to apply for cancellation of bail.

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
Judge

roshan/-