

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5226 of 2020**

- Dilip Kumar, S/o Shri Badkaram, Aged About 40 Years, Caste-Gond, R/o Village- Pendri, Police Station & Tehsil- Navagarh, District- Janjgir-Champa, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through- Station House Officer, Police Station- Janjgir District Magistrate, Janjgir, District- Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicant	: Mr. P. M. Shriwas, Adv.
For Respondent/State	: Mr. Anand Verma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****08.01.2021**

1. The accused/applicant has moved this **second bail application** under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 232/2019 registered at Police Station- Janjgir, District- Janjgir-Champa, (C.G.) for the offence punishable under Sections 419, 420, 467, 468, 34 of IPC.
2. The first bail application of the applicant was dismissed as withdrawn with liberty to file the same at an appropriate stage vide order dated 22.11.2019 passed in MCRC No. 4065/2019 by this Hon'ble Court.
3. The prosecution story, in brief is that, the present applicant along with other co-accused persons committed fraud by making concocted documents with the help of bank officers to obtain KCC agricultural/term loan of Rs.5,16,930/- from the Corporation Bank, Janjgir. Thereafter, offence has been registered against the present applicant and other co-accused persons.
4. 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 other co-accused persons have been granted bail in MCRC Nos. 3513/2020 & 5684/2020. The applicant is in jail since 04.05.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

5. On the other hand, counsel for the State opposes the bail application and the submission made in this respect. It is submitted that the offence committed by the present applicant is of serious in nature, therefore, no case is made out for grant of bail.
6. I have heard learned counsel for the parties and perused the record.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that other co-accused persons have been granted bail in MCRC Nos. 3513/2020 & 5684/2020. The applicant is in jail since 04.05.2019 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.
8. 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**

Ruchi