

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC A No. 1551 of 2020

1. Dharmin Bai Wd/o Shri Balaram Chandravanshi Aged About 46 Years R/o Village - Jhalmala Police Station Pipariya, Tahsil Kawardha District - Kabirdham Chhattisgarh.

---- Applicant

Versus

1. State Of Chhattisgarh, Through Police Station Kawardha District - Kabirdham Chhattisgarh.

---- Respondent

MCRC A No. 1564 of 2020

1. Nitish Chand Tiwari S/o J.P. Tiwari Aged About 40 Years Occupation- Branch Manager, Shriram Finance Company, Kawardha, Resident Of Bilaspur, Police Station, Tahsil And District- Bilaspur

At Present Resident Of Housing Board Colony, Near District Jail, Joratal, Tahsil- Kawardha, District- Kabirdham, Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh Through The Station House Officer, Police Station- Kawardha, District- Kabirdham, Chhattisgarh

---- Respondent

MCRC A No. 1614 of 2020

1. Ajay Chandravanshi S/o Shri Arjun Chandravanshi Aged About 28 Years R/o Village Jhalmala, P. S. Pipariya, Tahsil Kawardha, District Kabirdham Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh Through The Station House Officer, PS Kawardha, District Kabirdham Chhattisgarh

---- Respondent

For respective Mr. F.S. Khare, Mr. D.K. Vishwakarma &
Mr. Nitansh Kumar Jaiswal, Advocates

For Respondent /State Mr. Rajendra Tripathi, Panel Lawyer

Hon'ble Mr. Justice Prashant Kumar Mishra

Order On Board

15/1/2021

1. Since all the bail applications are arising out of same crime number i.e. Cr.No.237/2020 they are being considered and decided by this common order.
2. The applicants have preferred these bail applications for grant of anticipatory bail, as they apprehend their arrest in connection with Crime No.237/2020, registered at Police Station Kawardha, District Kabirdham (CG), for offence punishable under Sections 420, 467, 468, & 471 read with Section 34 of the Indian Penal Code.
3. One Baldev Chandravanshi, son of the applicant Dharmin Bai applied for agricultural loan from HDFC Bank, Kawardha. While submitting the loan application showing his mother Dharmin Bai as co-borrower Baldev submitted land documents belonging to the complainant Balesh Vaishnav. The revenue records belonging to Balesh were forged to enter the name of accused Baldev as holder of the land. It is said that Assistant Manager of HDFC Bank Nitish Chand Tiwari

colluded with Baldev to sanction loan to the tune of Rs.3.00 lacs. Applicant Ajay Chandravanshi is the guarantor and appears to have not paid any role in forging the revenue papers nor has received the amount of loan, I am inclined to release the applicants Dharmin Bai & Ajay Chandravanshi.

4. Case of Nitish Chand Tiwari is more or less similar to main accused Baldev because it was the Assistant Manager Nitesh Chand Tiwari who was assigned the work of processing of loan papers, but he did not take proper care in forging revenue papers and sectioned loan causing loss to the Bank. Therefore, his bail application is dismissed.

5. In the result :

(a) MCRC A No.1564 of 2020 filed by Nitish Chand Tiwari is dismissed.

(b) MCRC A Nos.1551 of 2020 filed by Dharmin Bai & 1614 of 2020 filed by Ajay Chandravanshi are allowed and it is directed that in the event of arrest of the applicants, they shall be released on anticipatory bail on each of them executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-

- they shall make themselves available for interrogation by a police officer as and when required;
- they 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 from disclosing such facts to the Court or to any police officer.

- they shall not influence the witnesses during pendency of the trial.

Sd/-

(Prashant Kumar Mishra)
Judge

Gowri