

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7731 of 2020**

- Surendra Kumar Borker, S/o Late Shri Bhaiyalal Borker, Aged About 60 Years, By Caste Mahar, R/o Shanker Nagar, Goura Chowk, Ward No. 11, District Durg, Chhattisgarh, District : Durg, Chhattisgarh

---- Applicant**Versus**

- The State Of Chhattisgarh Through Police Station Dongargarh, District Durg, Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Respondent**MCRC No. 7749 of 2020**

- Surendra Kumar Borker S/o Late Shri Bhaiyalal Borker Aged About 60 Years By Caste Mahar, R/o Shanker Nagar, Goura Chowk, Ward No. 11, Distt. Durg (Chhattisgarh), District : Durg, Chhattisgarh

---- Applicant**Versus**

- The State Of Chhattisgarh Through Police Station Dongargarh, Rajnandgaon (Chhattisgarh), District : Rajnandgaon, Chhattisgarh

---- Respondent**MCRC No. 7757 of 2020**

- Surendra Kumar Borkar S/o Late Shri Bhaiyalal Borker Aged About 60 Years By Caste Mahar R/o Shanker Nagar, Goura Chowk Ward No. 11, District Durg, Chhattisgarh, District : Durg, Chhattisgarh

---- Applicant**Versus**

- The State Of Chhattisgarh Through Police Station Dongargarh, District Rajnandgaon, Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Respondent**MCRC No. 7765 of 2020**

- Surendra Kumar Borker, S/o Late Shri Bhaiyalal Borker, Aged About 60 Years By Caste Mahar, R/o Shanker Nagar, Goura Chowk, Ward No. 11, District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant**Versus**

- The State Of Chhattisgarh, Through Police Station Dongargarh, District - Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Respondent

MCRC No. 7819 of 2020

- Surendra Kumar Borker S/o Late Shri Bhaiyalal Borker Aged About 60 Years Caste Mahar, R/o Shanker Nagar, Goura Chowk, Ward No.11, District Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through Police Station Dongargarh, District Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Respondent

MCRC No. 7840 of 2020

- Surendra Kumar Borker S/o Late Shri Bhaiyalal Borker Aged About 60 Years By Caste Mahar, R/o Shanker Nagar, Goura Chowk, Ward No. 11, Distt. Durg, Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through Police Station Dongargarh, Distt. Rajnandgaon, Chhattisgarh

---- Respondent

MCRC No. 7870 of 2020

- Surendra Kumar Borker S/o Late Shri Bhaiyalal Borker Aged About 60 Years By Caste- Mahar, R/o Shanker Nagar, Goura Chowk, Ward No. 11, District Durg, Chhattisgarh, District : Durg, Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Trough Police Station Dongargarh, District Rajnandgaon, Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant : Shri Parag Kotecha, Adv.

For Respondent/State : Shri Sameer Uraon, G.A.

Hon'ble Smt. Justice Rajani Dubey

Order on Board

04.02.2021

1. Since in the aforesaid bail applications the applicant is one and the same, therefore, they are being heard and disposed of by this

common order.

2. The accused/applicant has moved these **second bail applications** under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime Nos. 503/2019 in MCRC No. 7731/2020, 514/2019 in MCRC No. 7749/2020, 513/2019 in MCRC No. 7757/2020, 504/2019 in MCRC No. 7765/2020, 518/2019 in MCRC No. 7819/2020, 512/2019 in MCRC No. 7840/2020 and 511/2019 in MCRC No. 7870/2020, registered at Police Station- Dongargarh, District- Rajnandgaon, (C.G.) for the offence punishable under Sections 420, 467, 468, 471/34 and 120-B of I.P.C.
3. Earlier, the first bail applications of the applicant were rejected vide order dated 24.02.2020 by this Court.
4. The allegation against the present applicant is that during his posting as Branch Manager in the Punjab National Bank, Branch Bhandarpur in the year 2013, he obtained illegal benefit from the bank by involving the Kisan Credit Card (KCC) loan recipients in a criminal conspiracy and acquired such loan by fraudulently preparing false and forged revenue records in connivance with certain bank officials and shared the loan amount among themselves. Based on this, offence has been registered against the present applicant.
5. 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 the applicant has taken retirement in the year 2013 and he has no role in the alleged offence. He next added that the present applicant has already been granted bail in MCRC Nos.1543/2020, 1544/2020, 1547/2020, 1548/2020, 1549/2020, 1551/2020, 1554/2020, 1558/2020, 1569/2020, 1581/2020 and 1582/2020 vide order dated 11.08.2020 by co-ordinate bench. He also added that the applicant is in jail since 18.12.2019, 23.12.2019, 24.12.2019, 18.12.2019, 18.12.2019, 24.12.2019 and 18.12.2019 in connection with aforementioned crime numbers, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
6. On the other hand, counsel for the State opposes the bail application submits that the applicant fraudulently obtained KCC loan meant for farmers and shared the loan amount amongst them, therefore, benefit

of bail may not be extended to the applicant.

7. I have heard learned counsel for the parties and perused the material available on record.
8. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant and further considering the facts that the present applicant and co-accused persons have been granted bail by this Court in different crime numbers, 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 applications are allowed.
9. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 1,00,000/- 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.

Certified copy as per rules.

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

Ruchi