

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8568 of 2020**

- Siddharth Tiwari, S/o Shri Ramchandra Tiwari, Aged About 28 Years, R/o.- Chak Mahalour, Chinhat, Gomati Nagar, Lucknow (Uttar Pradesh).

---- Applicant**Versus**

- State Of Chhattisgarh Through S.H.O. Of The P/s. Civil Lines Raipur, District Raipur (Chhattisgarh).

---- Respondent

For Applicant	: Mr. Abhishek Saraf, Adv.
For Respondent/State	: Mr. Udhaw Sharma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****24.03.2021**

1. The accused/applicant has moved this **first bail application** under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 232/2020 registered at Police Station- Civil Lines Raipur, District Raipur, (C.G.) for the offence punishable under Sections 420, 467, 468, 471 of IPC.
2. The prosecution story, in brief is that, it has been alleged that the applicant has obtained a loan of Rs. 12,35,532/- from Bajaj Finance Company by submitting forged documents eventually loan amount has already been disbursed to Deepak Tiwari. Thereafter, offence has been registered against the present applicant.
3. 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 charge-sheet has been filed and the offence is triable by Judicial Magistrate First Class. He next added that the applicant is in jail since 24.08.2020 there is

no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application and the submission made in this respect. It is submitted that PAN Card of the applicant proved that the present applicant and Deepak Tiwari are the same person and the offence committed by the applicant is of serious in nature, therefore, no case is made out for grant of bail.
5. I have heard learned counsel for the parties and perused the record.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the applicant is in jail since 24.08.2020 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.
7. 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.

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

Ruchi