

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C (A). No. 1234 of 2021

Amol Gulshan Kujur S/o Shri Silvester Kujur, Aged About 35 Years,
 Deputy Manager, State Bank of India, R/o Dibadih, Nayatoli, Police
 Station/Post Doranda, District -Ranchi, Jharkhand.

---- Applicant

Versus

State of Chhattisgarh Through The Out Post Daura, Police Station Pasta,
 District -Balrampur Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant	: Shri Varunendra Mishra, Advocate.
For State	: Shri Vaibhav Singh, PL.

Hon'ble Shri Parth Prateem Sahu, J
Order on Board

04/10/2021

1. First bail application of applicant was dismissed for want of prosecution.
2. This is second bail application of applicant filed under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.65/2021 registered at Out Post Daura, Police Station Pasta, District -Balrampur Ramanujganj, (CG), for the offence punishable under Sections 420, 467, 468, 471, 120-B of the Indian Penal Code.
3. Case of the prosecution, in brief, is that Shyamdan, Ramdhan and others lodged complaint before the police authority for obtaining KCC loan in their name by submitting forged documents. Based on inquiry upon complaint conducted by Assistant Superintendent of Police, Balrampur, FIR was registered on 14.06.21 against Shailesh Gupta for the offence under Section 420 of IPC.
4. Learned counsel for the applicant submits that name of applicant is not mentioned in FIR registered on 14.06.21. Applicant being Deputy Manager of State Bank of India has sanctioned loan amount. As per procedure application for KCC loan is to be submitted by land holders

alongwith Rin Pustika, photographs, signature and other related documents. Based upon documents, loan amount has been sanctioned and disbursed to the persons whose name and photographs is mentioned in application. Applicant has not committed any offence as alleged against him, even in inquiry conducted by Assistant Superintendent of Police (ASP) it is one Shailesh Gupta who was found to be involved in commission of crime. Applicant participated in preliminary inquiry conducted by ASP. Applicant is a bank employee and there are no chances of his absconding. Hence, applicant may be enlarged on anticipatory bail.

5. Learned State Counsel opposes the submissions made by learned counsel for the applicant and submits that KCC loan has been obtained in name of about 6 persons by placing forged documents. Applicant is employee of SBI and it is his duty to visit the spot which was not done by him, hence, prima facie involvement of applicant is there. Hence, he is not entitled for grant of anticipatory bail. However, he do not dispute the inquiry conducted by ASP and its report dated 05.3.2021 wherein Shailesh Gupta has been found to be the person who has committed the crime. He also submits that expert report is not available in case diary.
6. Heard learned counsel for the parties.
7. Considering the facts and circumstances of this case, nature of allegations, inquiry report of ASP dated 05.03.21 based upon which crime is registered, submissions made by learned counsel for the parties, without commenting anything on merits of the case, I am inclined to grant anticipatory bail to the applicant.

8. Accordingly, anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the crime in question, he shall be released on bail by the officer arresting him on executing a personal bond in sum of **Rs.25,000/-** with one local surety in the like sum to the satisfaction of the concerned Arresting Officer. The applicant shall also abide by the following conditions :

- (i) that applicant shall make himself available for interrogation before the investigating officer as and when required;
- (ii) that applicant 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/her from disclosing such facts to the Court or to any police officer;
- (iii) that applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(Parth Prateem Sahu)
Judge

Jamal/-