

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No.8014 of 2020**

Devcharan Tandan S/o Late Shri Mangal Tandan Aged About 53 Years  
(Mangalram Tandan) R/o Village Kolar, Police Station Abhanpur, District  
Raipur Chhattisgarh **---- Applicant**

**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station,  
Abhanpur, District Raipur Chhattisgarh **---- Respondent**

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| For Applicant        | : | Mrs. Nirupama Bajpai, Advocate |
| For Respondent/State | : | Mr. Lalit Jangde, Dy. G.A.     |

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**S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**29/01/2021**

Heard.

1. The applicant has been arrested in connection with Crime No.220 of 2020 registered at Police Station- Abhanpur, District Raipur (CG) for the alleged commission of offence under Section 420 of IPC.
2. Prosecution case is that the applicant is a President of an Education Society. In order to sanction for lease of loan to establish Education Institution, he produced forged and fabricated No Objection Certificate allegedly issued by the Sarpanch of Gram Panchayat.
3. Learned counsel for the applicant would submit that the applicant is being falsely implicated. The applicant had obtained No Objection Certificate from several authorities and not only from one authority. It is submitted that upon submission of application though objection were invited, concerned Sarpanch of the Gram Panchayat did not raise any objection. It is also submitted that after about 9 to 10 months, objections have been raised whereas till date of filing of charge-sheet, no report has been obtained from handwriting expert that No Objection Certificate allegedly produced by the applicant was forged one. Therefore, at this stage, he may be granted bail.
4. On the other hand, learned counsel for the State opposes the prayer and

submits that the report has been lodged by concerned Sarpanch of Gram Panchayat that No Objection Certificate was never issued and whatever has been submitted, is a forged one. He would submit that the charge-sheet has been filed and the report of the handwriting expert is still awaited.

5. Considering the submission of learned counsel for the parties, particularly taking into consideration the nature of allegations and material on record and also taking into consideration that the investigation is complete, charge-sheet has been filed and that the applicant is not likely to abscond or tamper with the prosecution witnesses and that the applicant is in jail since 15.10.2020, the application is allowed.
6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties for the like amount to the satisfaction of the concerned trial Court with following further conditions:
  - (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
  - (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

**Sd/-**  
**(Manindra Mohan Shrivastava)**  
**Judge**