

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8987 of 2020**

- Asraf Ali S/o Gaffar Ali @ Jafar Aged About 37 Years R/o Ward No. 5, Gali No. 6, Motipur, Rajnandgaon, Dist.- Rajnandgaon, Chhattisgarh

----Applicant**Versus**

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

---- Respondent

For Applicant
For State

Shri Abhishek Pandey, Advocate.
Shri Vimlesh Bajpai, Government Advocate.

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****12/01/2021**

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of bail as he has been arrested in connection with crime No.515/2019, registered at Police Station – Dongargarh, District Rajnandgaon, C.G. for the offence punishable under Sections 420, 467, 468, 471/34 and 120B of Indian Penal Code.
2. Allegation against the present applicant is that he in conspiracy with other bank employees of Punjab National Bank, Bhandrapur and co-accused persons got loan amount sanctioned under Kishan Credit Card in favour of the agriculturist in a fraudulent

manner by preparing forged revenue documents and after withdrawing such loan amount distributed amongst themselves.

3. Learned counsel for the applicant submits that applicant is an innocent person and has been falsely implicated in this case. He submits that the applicant is in jail since 06.12.2019, charge sheet has already been filed, nothing is required to be seized from the applicant and more so, the similarly situated co-accused persons namely Raman Robinson in MCRC No.5547 of 2020, Surendra Kumar Borker in MCRC No.1543 of 2020, MCRC No.1544 of 2020, MCRC No.1547 of 2020, MCRC No.1548 of 2020, MCRC No.1549 of 2020, MCRC No.1551 of 2020, MCRC No.1554 of 2020 and MCRC No.1558 of 2020, Laddi @ Harpal Singh in MCRC No.1569 of 2020, Raman Robinson in MCRC No.1581 of 2020 and MCRC No.1582 of 2020 have already been granted regular bail by the Co-ordinate Bench of this Court vide order dated 15.12.2020 and 11.08.2020 respectively. Therefore, the applicant be also granted bail on the ground of parity.
4. On the other hand, learned counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, the detention period of the applicant, the fact that charge sheet has already been filed, in particular the fact that the similarly situated co-accused persons have already been granted regular bail by the Co-ordinate Bench of this Court, without expressing any opinion on merits of the case, this Court is of the opinion that

present is a fit case for grant of bail to the applicant. Accordingly, the application is allowed. It is directed that in the event of applicant executing a personal bond for a sum of Rs.50,000/- with one surety of the like amount to the satisfaction of the concerned trial Court, he shall be released on bail on the following conditions:-

- (i) He 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 fact to the Court,
- (ii) He shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) He shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
- (iv) He shall not involve himself in any offence of similar nature in future.

Sd/-
Gautam Chourdiya
Judge

Akhilesh