

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 9068 of 2020

- Shankar Lillhare S/o Dharam Das Lillhare, aged about 62 years, R/o Kurubhath, Thana- Dongargarh, District Rajnandgaon (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through- Police Station- Dongargarh, District Rajnandgaon (C.G.)

---- State/Non-applicant

For Applicant	:	Shri Samir Singh, Advocate
For Non-Applicant/State	:	Dr.(Ms.) Veena Nair, Deputy Advocate General with Ms. Smriti Shrivastava, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya, J

Order on Board

14.01.2021

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 27.11.2019 in connection with Crime No. 523/2019 registered in Police Station- Dongargarh, District Rajnandgaon (CG) for the offence punishable under Sections 420, 467, 468, 471, 120B read with Section 34 of IPC.
2. Allegation against the present applicant is that he in conspiracy with other co-accused persons and the bank employees prepared forged documents for obtaining loan under the Kisan Credit Card Scheme in favour of the beneficiaries and after withdrawal of the said loan amount committed cheating with the beneficiaries for getting illegal gains.
3. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in the crime in question. He also submits that co-accused namely Laddi @ Harpal Singh has been granted regular bail by the coordinate bench of this Court vide order dated

11.08.2020 passed in M.Cr.C. No. 1569 of 2020. He submits that the applicant is in jail since 27.11.2019 and conclusion of the trial is likely to take some time, therefore, the applicant be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, the fact that the applicant has no criminal antecedents except this crime as admitted by both the counsel, he is in jail since 27.11.2019, conclusion of the trial is likely to take some time and the co-accused in this case has been granted regular bail by the coordinate bench of this Court, without expressing any opinion on merits of the case, the bail application is allowed.
6. It is directed that in the event of applicant executing a personal bond for a sum of Rs.1,00,000/- with two sureties of Rs.50,000/- each 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 or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-
(Gautam Chourdiya)
Judge