

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9512 of 2020

1. Gautam Bhaskar Awasalmal S/o Shri Bhaskar Awasalmal, Aged About 28 Years, R/o Village Gomeghar, Post- Uti, Police Station- Janepat, District- Buldana (M.H.)

Present Address- Vehicle Contener No. N.L.01 AE 1015 Of Driver, Bharat Nagar, Netaji, Nagar, Markhedha Parisar, P.S.- Markhedha District- Aurangabad (M.H.).

---- Applicant

Versus

1. State Of Chhattisgarh Through Police Station- Chhuriya, District- Rajnandgaon (C.G.).

---- Non-Applicant

For Applicant	:	Mr. Arvind Kumar Dubey, Advocate.
For Non-Applicant/State	:	Mr. Vimlesh Bajpai, Govt. Advocate.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

04/02/2021

- 1) This is the First Bail Application filed under Section 439 of Code of Criminal Procedure, 1973 by the applicant for grant of bail as he is in custody since 01/09/2020 in connection with Crime No. 122/2020 registered at Police Station Chhuriya, District- Rajnandgaon (C.G.) for the offence under Sections 420, 467, 468, 471, 34 of IPC.
- 2) Allegation against the present applicant is that he alongwith other co-accused committed forgery for the purpose of cheating and prepared receipt book due to which the State had to face loss of huge amount and he made a lot of profit by forgery.
- 3) Learned counsel for the applicant submits that applicant is an innocent person and has been falsely implicated in this case. He submits that similarly situated co-accused Sachin Selke has already been granted regular bail by this Court vide order dated

18/01/2021 in MCRC No. 9120/2020. He further submits that the applicant is in jail since 01/09/2020 and conclusion of the trial is likely to take some time. Therefore, the present applicant be released on bail.

- 4) On the other hand, learned counsel for the respondent/State opposes the bail application.
- 5) Heard learned counsel for the parties.
- 6) Considering the facts and circumstances of the case, the detention period of the applicant, and in particular the fact that similarly situated co-accused have already been released on bail by this Court, there is no apprehension of the applicant tampering with the evidence or absconding and that the trial is likely to take some time for disposal, without commenting anything on merits of the case, the application is **allowed**. 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 air 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 Court.

-Sd/-
(Gautam Chourdiya)
Judge