

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9308 of 2020**

- Sukhlal Singh, S/o Sangal Sai, Caste Gond, aged about 21 Years, Occupation Student, R/o Village- Baknakhurd, Police Station Dhaurpur, District Surguja, Chhattisgarh.

----Applicant

Versus

- State of Chhattisgarh, Through S. H. O. Police Station Kotwali Ambikapur, District Surguja, Chhattisgarh.

----Non-applicant

For Applicant
For State

Mr. Jitendra Shrivastava, Advocate.
Ms. Seema Dixit, P.L.

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****01/02/2021**

1. The applicant has preferred this application under Section 439 of Cr.P.C. as he has been arrested in connection with Crime No.164/2020 registered at Police Station Kotwali Ambikapur, District Surguja, C.G. for the offence punishable under Sections 419, 420, 467, 468 & 471 of Indian Penal Code.
2. Allegation against the present applicant is that he withdrew a sum of Rs.10,49,000/- (cash Rs.5,80,000/- and through cheque Rs.4,69,000/-) by making a forged sign of his uncle/victim. On report being lodged to the above effect, the

aforesaid offence have been registered against the applicant.

3. Learned counsel for the applicant submits that applicant is an innocent person and has been falsely implicated in this case. He submits that applicant is in jail since 30.09.2020, charge sheet has already been filed and conclusion of the trial is likely to take some time. Therefore, he may 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 detention period of the applicant, the case is triable by the Judicial Magistrate First Class and the fact that charge sheet has already been filed, in particular the fact that there is no likelihood of the applicant tampering with the evidence or absconding as admitted by both the counsel and that conclusion of trial may take some time, 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.2,00,000/- with two sureties of Rs.1,00,000/- 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.

Sd/-
Gautam Chourdiya
Judge

Akhilesh