

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 934 of 2017

- Sunil Patel S/o Janakram Patel Aged About 31 Years R/o Village Piperkhuta, Thana And Tahsil Baramkela, Civil And Revenue District Raigarh, Chhattisgarh --- **Applicant**

Versus

- State of Chhattisgarh through the Station House Officer, Police Station Chakradharnagar, District Raigarh, Chhattisgarh-**Respondent**

For the applicant	:	Mr. B.M. Roy Advocate
For the Respondent	:	Mr. Neeraj Jain, Govt. Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28.02.2017

1. This is the third bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 320/2016, registered at Police Station Chakradharnagar, District Raigarh (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 120-B, 511/34 of Indian Penal Code.
2. As per the prosecution case, a complaint was made by Laxmi Prasad, Hariram, Goverdhan, Basantram & Tikaram that on the basis of the forged Rin-pustika and Revenue papers i.e. Khasra & B1, the present applicant tried to obtain loan from the HDFC Bank under KCC; though the said loan application was never submitted by the proposed loanee. Thereby, the offence has been committed.
3. Learned counsel for the applicant would submit that at the instance of the complainant, the loan applications were presented but subsequently since interest rate was higher, the proposed loanee backed out and they did not avail the loan and thereafter, the report

was made. He would also submit that this is third bail application and the earlier bail application was dismissed as withdrawn on 07.12.2016 with liberty to repeat the same after filing of the charge sheet and the second bail application was dismissed for want of prosecution. He submits that now the charge sheet has been filed; no further investigation is necessary and the applicant is in jail since 30.09.2016. He further submits that similarly placed co-accused Deepak Kumar Malil has been enlarged on bail by this Court in in M.Cr.C. No.564/2017, therefore, the present applicant may also be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail. However, on verification he do not dispute the fact that similarly placed co-accused has been enlarged on bail by this Court.
5. Perused the case diary and the documents. Considering the nature of allegations and the fact that all the evidence appears to be documentary in nature; the charge sheet has been filed and the applicant is in jail since 30.09.2016 as also the fact that similarly placed co-accused has been enlarged on bail by this Court, I am inclined to allow this bail application.
6. Accordingly, all the bail application is allowed and It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance as and when directed.

Cc as per rules.

Sd/-
(Goutam Bhaduri)
Judge