

**M.Cr.C. No.8534/2017**  
**(Girja Shankar Vs. State of M.P.)**

**31.08.2017**

Shri Atul Gupta, learned counsel for the applicant.

Shri R.V.S. Ghuraiya, learned Public Prosecutor for the respondent/State.

Shri Gaurav Mishra, learned counsel for the complainant/objector.

Learned Public Prosecutor has placed on record the verification report.

Heard arguments.

Perused case diary and material on record.

This is the fifth bail application filed by the applicant under Section 439 of the Cr.P.C. for grant of bail in connection with Crime No.209/2014 registered at Police Station Dimni of Morena district against him and co-accused Maharaj Singh, Yashpal Singh and Kusum Singh for the offences punishable under Sections 420, 467, 468, 471 and 120-B of the IPC.

The allegations against the applicant are that at the relevant time of offence, he was posted as Data Entry Operator at Tahsil Ambah. Having entered into a criminal conspiracy with the co-accused persons, he had prepared fake documents upon which co-accused Maharaj Singh took Kisan Credit Loan to the tune of Rs.2,75,000/- from the Central Bank of India, Branch Aesah Ranpur, Morena.

Learned counsel for the applicant submits that the applicant is in custody since 10.03.2016. As such, he has been in prison for more than 18 months. He submits that

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the charge-sheet had been filed before long. But the progress of the trial is very slow. He submits that co-accused Maharaj Singh deposited the entire loan amount which he had taken on the basis of alleged forged documents. He submits that Maharaj Singh is a main accused of the case and that he had been granted bail under the provisions of Section 167 of the Cr.P.C., and this Court has granted regular bail to co-accused Kusum Singh. He submits that in view of the aforesaid facts there is a material change in the circumstances of the case whereupon the applicant is entitled to get bail. Upon these submissions, he prays for grant of bail to the applicant.

Learned Public Prosecutor and the learned counsel for the complainant have opposed the prayer. However, they have admitted that co-accused Maharaj Singh had already deposited the entire loan amount and that the applicant has no criminal antecedents.

Taking into consideration the facts and circumstances of the case, the submissions raised on behalf of the parties by their counsel, the long detention of the applicant, he has no criminal past and co-accused Maharaj Singh had already deposited the loan amount, but without commenting on merits of the case, I am of the opinion that it is a fit case for grant of bail. Hence, the application is allowed in view of the aforesaid facts and in the substantial change in the circumstances of the case. It is ordered that applicant **Girja Shankar** be released on

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bail on his furnishing a personal bond in the sum of **Rs.40,000/- (Rupees Forty thousand only)** with one solvent surety of the same amount to its satisfaction for securing his presence in the course of trial of the case. The applicant shall abide by the conditions enumerated in Section 437(3) of the Cr.P.C. In case of bail jump, the Court concerned will have power to cancel the applicant's bail.

Certified copy as per rules.

SS

**(Rajendra Mahajan)**  
**Judge**