

## Lokeshwar alias Lokesh Sahu Vs State Of Chhattisgarh

**Court:** Chhattisgarh High Court

**Date of Decision:** July 2, 2018

**Acts Referred:** Indian Penal Code, 1860 " Section 201, 420, 467, 468  
Code Of Criminal Procedure, 1973 " Section 439

**Hon'ble Judges:** Pritinker Diwaker, J

**Bench:** Single Bench

**Advocate:** Sunil Sahu, Rahul Tamaskar

**Final Decision:** Allowed

### Judgement

Pritinker Diwaker, J

1. This application under Section 439 of the Code of Criminal Procedure has been filed by the applicant who is in custody in connection with Crime

No. 73/2018 registered at Police Station Bhakhara, District Dhamtari for commission of the offences punishable under Sections 420, 467, 468 and 201

IPC.

2. Case of the prosecution in short is that the applicant is the proprietor of a photocopy and mobile shop where he also used to get PAN card prepared

through on-line process. Case of the prosecution is that PAN card was prepared in the name of complainant Dharmendra Sahu showing the PAN of

Guhari Prasad. Certain bills were submitted by Dharmendra Sahu showing the PAN which originally belongs to Guhari Prasad as a result of which

TDS of Rs. 2,667/- was deposited in the account of Guhari Prasad. Main allegation against the applicant herein is for preparing the forged PAN in

the name of Guhari Prasad.

3. Counsel for the applicant submits that the applicant has nothing with the preparation of forged PAN card where an amount of Rs. 2,667/- has been

credited in the account of Guhari Prasad. It is argued that it can merely be a technical mistake where in the PAN card of Dharmendra Sahu number

of Guhari Prasad has been shown. He submits that the applicant is in jail since 11.4.2018, that the offences are triable by Magistrate and therefore he

may be released on bail.

3. State counsel however opposes the application for bail.

4. Considering the facts and circumstances of the case, the fact that the offences are triable by Magistrate and that the applicant is in jail since

11.4.2018, this Court is of the opinion that it is a fit case to release him on bail. Accordingly, the application is allowed and the applicant is directed to

be released on bail on his furnishing a bond in the sum of Rs. 1,00,000/- (One Lakh) with one surety for the like sum to the satisfaction of the

concerned Court for his appearance before that Court as and when directed.