

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 1612 of 2015

- Ajay Rajak son of Dhanau @ Panau Rajak, aged about 35 years, r/o. Devaridih, P.S. Torwa, District Bilaspur (CG).

---- Applicant

Versus

- State Of Chhattisgarh Through: the Station House Officer, P.S. City Kotwali, District Bilaspur (CG).

---- Respondent

For Applicant	:	Mr. Rajeev Kumar Dubey, Advocate.
For Respondent/State	:	Mr. Neeraj Jain, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

16/7/2015

1. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail, who has been arrested on 28-7-2013 in connection with Crime No. 490 of 2013 (wrongly written as 2012) registered at Police Station City Kotwali, District Bilaspur (CG), for the offence punishable under Sections 420, 467 & 468 of IPC.
2. The case of the prosecution, in brief, is that the present applicant impersonating as Somnath Chakraborty stood as bailer for accused Manoj Kumar in the Court of Judicial Magistrate First Class and thereby committed the aforesaid offence.
3. Learned counsel appearing for the applicant would submit that the applicant has not committed any offence and he has been falsely implicated in the case. He would further submit that the charge-sheet has been filed, the applicant is in jail since 28-7-2013, only few witnesses have been examined and no useful purpose would be served by detaining him in jail, therefore, he may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application.

5. I have heard the counsel appearing for the parties and perused the case diary.
6. Taking into consideration all the facts and circumstances of the case, nature and gravity of the offence, charge-sheet has been filed, there is no substantive progress in the trial and further considering pre-trial detention of the applicant i.e., with effect from 28-7-2013, I am of the considered opinion that *prima facie* it is a fit case where the applicant can be released on bail.
7. Accordingly, the application is allowed. It is ordered that the applicant shall be released on bail on his furnishing a personal bond of Rs.25,000/- along with one surety of the like amount to the satisfaction of the trial Court. He shall appear before the trial court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge