

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No. 3890 OF 2015**

Mahendra Kumar Bharti S/o Shri Ram Vishwas Bharti, aged about 20 years,
R/o Village Shiv Colony, Siddharth Nagar Satna, Thana Kolangwa, Civil &
Revenue Distt. Satna (M.P.)

---Applicant**Versus**

The State of Chhattisgarh, Through the Station House Officer, Police Station
Amalipadar, Revenue Distt. Gariyaband, Civil Diustt.-Raipur (C.G.)

---Non-applicant

For Applicant	:	Mr. Sunil Sahu, Advocate
For Non-applicant	:	Mr. O.P. Sahu, Govt. Advocate
For Objector	:	Mr. Yogesh Pandey, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****11/08/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.15/2015, registered at Police Amalipadar, Distt.-Gariyaband (C.G.), for the offence punishable under Sections 420, 507 of the Indian Penal Code.

2. Case of the prosecution, in brief, is that applicant alleged to have cheated the complainant-Khem Raj Nagesh and got deposited of Rs. 25,000/- and withdrawn the same and thereby committed offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in question. He would further submit that applicant is student of B.E. 7th Semester and undergoing training in Central Railway. He would further

submit that amount in dispute has already been returned by the applicant. He would also submit that no custodial interrogation is required and no useful purpose would be served by keeping him in jail. He would lastly submit that applicant is in jail since 04/07/2015 therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose the prayer for grant of bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; applicant being Engineering student; offence is triable by Magistrate; role of the applicant in offence in question and pretrial detention of the applicant, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that 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.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE