

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6193 of 2015

1. Uttam Pandey, S/o. Bharat Pandey, aged about 42 years, R/o. Village-Dammani Colony, Nawapara, Tahsil – Abhanpur, Police Station – Abhanpur, Civil & Revenue District – Raipur (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : Station House Officer, Police Station – Gobra, Nawapara, District Raipur (C.G.)

---- Respondent

For Applicant	: Mr. Awadh Tripathi, Advocate
For Respondent/State	: Mr. Ashish Shukla, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

23/11/2015

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.242/2014, registered at Police Station – Gobra Nawapara, District – Raipur (C.G.) for the offence punishable under Section 420, 389, 505, 506, 294, 34 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant on the pretext of providing gold and silver has collected Rs.22.00 lakhs from the complainant and later on when the complainant refused to give further sum, he was threatened by putting him of fear being subjected to naxalite activities.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. He would further submit that other co-accused has been enlarged on anticipatory bail. He would also

submit that the applicant is in jail since 10.08.2015, therefore, he prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into the fact that the charge sheet has been filed and the nature of the allegation levelled against this applicant, the offence is triable by JMFC, taking into the fact that the applicant is in jail since 10.08.2015, this Court is of the opinion that present is a 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 his 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/-
(Goutam Bhaduri)
Judge