

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6709 of 2015

Banti Sahu S/o Shri Santram Sahu Aged About 29 Years R/o Near
Chhatamura Naka Near Kabir Chowk, Raigarh District Raigarh
Chhattisgarh

----Applicant

Versus

State Of Chhattisgarh Through the Station House Officer Police
Station Sarangarh, Civil & Revenue District - Raigarh Chhattisgarh

---- Respondent

For applicant - Shri Manoj Jaiswal, Advocate.
For Respondent/State – Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

8/12/2015

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 394/2015 registered in Police Station Sarangarh District Raigarh (C.G.) for offence punishable under section 420 of Indian Penal Code.
2. As per the prosecution case the applicant on 15/12/2013 contacted one Vijay and stated that he is supplier of iron rod and the cement and in case of need that would be supplied to him. Consequently, an amount of Rs.3 lakhs was paid by Vijay to the applicant, however when cement and the iron rod were required it was not supplied, therefore offence is committed.
3. Learned counsel for the applicant submits that neither there is any receipt nor any amount has been shown to have been paid by the complainant but only on the inflated oral statement have been made whereby applicant has been inculpated. He submits that charge sheet has been filed, applicant is in jail since 7/10/2015, therefore, the applicant may

be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Having regard to the fact that charge sheet has been filed and only statement under Section 161 of Cr.P.C. has been made about payment of amount, taking into account nature and gravity of offence and applicant is in jail since 7/10/2015, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE