

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3621 of 2015**

- Ram Kumar, S/o Mehattar Yadav, aged about 40 years, Occupation – Agriculture & Labour, R/o Village Kodkel, Police Station – Tamnar, Tahsil-Gharghoda, District Raigarh (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through: Station House Officer, Police Station – Tamnar, District Raipur (C.G.)

---- Non-applicant

For Applicant: Mr. Ashish Gupta, Advocate.
 For Respondent/State: Mr. Siddharth Rathore, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****03/08/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.64/2015 registered at Police Station – Tamnar, District Raigarh for the offence punishable under Section 420 of the Indian Penal Code.

(2) Case of the prosecution is that present applicant is said to have misappropriated Rs. 90,000/- withdrawn by complainant Dilmati Bai on 8.4.2014 and thereby cheated the complainant.

(3) Counsel for the applicant submits that the applicant had only assisted the complainant in withdrawing the money and she has accepted entire money in cash from the Bank; and the FIR to this effect has been lodged after one year. He further submits that applicant is in jail since 04.04.2015; the charge sheet has already been filed and no useful purpose would be served in detaining him in jail and, therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case, further considering the extent of delay in lodging the FIR; and the facts that applicant is in jail since 04.04.2015 and the charge sheet has already been filed; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to 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

D/-

