

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5880 of 2015

- Santosh Kumar Advanshi, son of Salik Ram Advanshi, aged about 24 years, resident of village Hathbay, P.S. & Tahsil Gariyaband, District Gariyaband (C.G).

---- Applicant

Versus

- State of Chhattisgarh through the Police Station Gariyaband, District Gariyaband (Chhattisgarh).

For the applicant	:	Mr. Mohammad Afroz Akhtar, Advocate
For the Respondent	:	Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

04.11.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 98/2015 registered at P.S. Gariyaband (C.G) for the offence punishable under Sections 420, 120-B, 34 of IPC.
2. As per the prosecution case, the present applicant alongwith co-accused has allured the complainant to sell the gold at a low price and after receiving Rs.1,05,000/- from the complainant the accused fled away, thereby offence of cheating was committed. The said incident was reported to the police and the applicant was arrested.
3. Learned counsel for the applicant submits that the applicant is in jail since 04.07.2015; the charge sheet has already been filed and there is no likelihood that the evidence would be tampered and looking to the detention period of the applicant, he may be released on bail.
4. On the other hand, learned State Counsel opposes the bail application.
5. Having regard to the facts and circumstances of the case and gravity of offence and further taking into account that the offences are triable

by the JMFC, the charge sheet has been filed and looking to the period of detention, this Court is inclined to release him on bail. Accordingly, this application is allowed.

6. The applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court . He is directed to appear before the said Court on each and every date given by the said Court.
7. C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**

Rao