

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 5050 OF 2015**

Radhekant Agrawal @ R.K. Modi, S/o Radhe Gopal aged about 37 years,
R/o Near Nutan Kisan Rice Mill, Police Station Azad Chowk, Civil and
Revenue District Raipur (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through: Police Station Ganj, District Raipur (C.G.)

---Non-applicant

For Applicant	:	Mr. Bhaskar Payashi, Advocate.
For Non-applicant	:	Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****23/09/2015**

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. 92/2015, registered at Police Station Ganj, District Raipur C.G., for the offence punishable under Section 420 of the Indian Penal Code.

2. Case of the prosecution, in brief, is that, present applicant obtained various articles from the complainant worth Rs.20,46,162/- and did not make payment of the same and issued forged cheque, which has become dishonoured.

3. Learned counsel for the applicant would submit that there is some commercial dispute with regard to the quality of material supplied, as such, he has been falsely implicated in offence in question. He would further submit that there is no custodial interrogation is required and no useful purpose

would be served by keeping applicant in jail. He would lastly submit that charge sheet has been filed and the applicant is in jail since 09/06/2015, therefore, he may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that applicant has obtained articles and issued forged cheque.

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 and the manner, in which, applicant is said to have obtained articles and did not make payment of the same and issued forged cheque, this Court is not inclined to release the applicant on regular bail.

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

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE