

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.5682 of 2015**

Ranjeet Rathiya S/o. Shri Sukhram Rathiya, aged about 25 years, R/o. Village-Thoram, Thana & Tahsil-Gharghoda, Civil & Revenue Distt.-Raigarh (CG)

---Applicant

Versus

The State of Chhattisgarh, Through the Station House Officer, Police Station-Tamnar, Distt.-Raigarh (CG)

---Non-applicant

For Applicant	:	Mr.Sunil Sahu, Advocate
For Non-applicant	:	Mr. Anil S. Pandey, Government Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

15/10/2015

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.189/2015, registered at Police Station-Tamnar, District-Raigarh (C.G.), for the offence punishable under Section 420 of the IPC.
2. Case of the prosecution, in brief, is that the present applicant obtained Rs.10,000/- from the complainant to get his account opened in Andra Bank, Raigarh and thereby committed the aforesaid offence.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that the applicant has accepted Rs.10,000/- in order to open the account of the complainant, but on technical reason, account could not be opened and said amount has already been seized by the police. He would also submit that the applicant is in jail since 18.9.2015 and charge-sheet has not been filed as yet.

4. On the other hand, learned counsel for the State would oppose the bail application.

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; role of the present applicant in offence in question, nature of dispute between the parties, the fact that Rs.10,000/- has already been seized by police and his pre-trial detention of the applicant, 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 the 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/-

(Sanjay K. Agrawal)
JUDGE

B/-