

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3071 of 2016

1. Madhusudan Sarkar, S/o. Jugeshwar Sarkar, aged about 40 years, R/o. Village-Domandih Chirmiri, P.S. & Tahsil – Chirmiri, District-Korea (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : S.H.O. - Premnagar, District – Surajpur (Chhattisgarh)

---- Respondent

For Applicant	:	Mr. Sunil Tripathi, Advocate
For Respondent/State	:	Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

13/06/2016

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.11/2016, registered at Police Station – Premnagar, District – Surajpur (C.G.) for the offence punishable under Section 420, 467, 468, 471/34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant alongwith other co-accused received an amount of Rs.3,50,000/- from the complainant, Jodhan Das with an assurance that it will be deposited in some scheme floated by the State Bank of India, thereby the amount would be doubled.

3. Learned counsel for the applicant submits that the main allegations are attributed to the other accused, Lallan, who is the brother of the complainant who in-fact has received the entire amount. He further submits that transaction was of the year 2013 and the applicant is in jail since 08.02.2016 and the charge sheet has been filed and therefore, prays that the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the statement of the complainant as also the charge-sheet. Considering the fact that charge-sheet in this case has been filed, the applicant is in jail since 08.02.2016 and all the evidence are documentary in nature, 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 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/-
(Goutam Bhaduri)
Judge