

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 317 of 2016

- Sushil Agrawal, S/o M. L. Agrawal, Aged About 38 Years (Wrongly Mentioned as Sunil In Cause Title of Impugned Order) R/o Village Mangla, P.S. - Civil Line Bilaspur, Distt. - Bilaspur Chhattisgarh

---- Petitioner

Versus

- State of Chhattisgarh Through Police Station - City Kotwali Mungeli, Distt. - Mungeli Chhattisgarh

--- Respondent

For the applicant	:	Mr. Bhupendra Singh.Advocate
For the Respondent	:	Mr. Ramakant Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29.01.2016

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. 585 of 2015 registered at P.S. City Kotwali, Mungeli, Distt. Mungeli (C.G) for the offence punishable under Sections 419, 420, 385, 507 & 120(B) of IPC.
2. As per the prosecution, on 01.12.2015, a report was made by complainant Vijay Sen Sharma that he received a phone call wherein a demand of Rs.25,000/- was made. The caller was identified as Kanha Agrawal. Subsequently when a report was made it was discovered that the call was made by Bobby Khan and the mobile where-from the call was made was activated by the applicant.
3. Learned counsel for the applicant submits that the applicant deals in business of recharging of mobiles and only the allegations against him are that mobiles are recharged where-from the call was made. He therefore, prays for

releasing the applicant on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. Perused the FIR wherein it shows that the caller was caught red handed.
6. Taking into the degree of allegations attributed to the applicant and considering the fact that the charge sheet has been filed and the applicant is in jail since 18.12.2015 and further considering the totality of the facts and circumstances, I am inclined to release the applicant on bail. Accordingly, this application is allowed.
7. 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 trial Court as and when directed by the said Court.
8. C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE