

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.1598 of 2016**

Chaandan Kumar Sahu S/o Late Chhedu Lal Sahu, aged about 40 years,
R/o Village Khisora, P.S.-Chowki Kareli Badi, Magarold, District Dhamtari
(CG)

---Applicant**Versus**

State of Chhattisgarh, Through the Police Station Dhamtari (City Kotwali
as per charge-sheet) District Dhamtari (CG)

---Non-applicant

For Applicant	:	Mr. Suresh Verma, Advocate
For Non-applicant	:	Mr. Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****17/03/2016**

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.291/2015, registered at Police Station-Dhamtari (City Kotwali as per charge-sheet), District Dhamtari (CG), for the offence punishable under Sections 420, 409 and 120/34 of the IPC.

2. Case of the prosecution, in brief, is that the applicant claiming to be an agent of HBN Company got deposited ₹6400/- in favour of the said company and said company failed to make repayment of the same after maturity date and thereby committed the 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 entire amount has been returned back to the complainant with interest, the applicant is in jail since 8.1.2016, charge-sheet has already been filed and no further custodial interrogation is required, therefore, he may be released on bail.

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 & circumstances of the case, nature & gravity of the offence, role of the present applicant, his pre-trial detention, charge-sheet has been filed and the stand taken by 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.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-