

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 1790 of 2016**

Subhash Gupta, S/o Shri Ramavtar Gupta, aged about 47 years, by caste- Teli, R/o Jurgum, P.S. - Bagicha, Distt. Jashpur (C.G.)

---- Applicant

**Versus**

State Of Chhattisgarh: Through, Station House Officer, Police Station-Bagicha, Distt. Jashpur (C.G.)

-----Non-applicant

---

For Applicant: Mr. Awadh Tripathi, Advocate.  
For Non-applicant/State: Mr. D.R. Minj, Dy. Govt. Advocate.

---

**Hon'ble Shri Justice Sanjay K. Agrawal****Order on Board****31/03/2016**

Heard.

(1) The accused/applicants has preferred this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.21/2016 registered at Police Station –Bagicha, District Jashpur for the offence punishable under Sections 420, 467, 468, 471 & 120-B, 34 of Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant in collusion with two other co-accused persons obtained Rs. 2 lakhs from the Ganesh Swa Sahayata Samooh at village-Jurgam and thereby committed the aforesaid offences.

(3) Learned counsel for the applicant submits that the applicant has been falsely implicated in the offence in question as he has not committed any offence, in fact the other co-accused

persons, who are the office bearers of the said samooch, for their own convenience, have transferred the money in the account of the applicant which is still lying in the bank account of the applicant. He further submits that the applicant is in detention since 21.02.2016 and the charge-sheet is yet to be filed but substantial investigation has already been completed and therefore the applicant may be released on bail.

(4) Per contra, counsel for the State opposes the bail application.

(5) Taking into consideration the facts and circumstances of the case; role of the applicant in the offence in question, pre-trial detention and the fact that substantial investigation has already been completed; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial. However, the applicant shall not withdraw the amount of Rs. 2 lakhs from his account without prior permission of the concerned court.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)  
Judge

D/-

