

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2716 of 2016

- Jayant Jaiswal S/o Rajendra Jaiswal Aged About 38 Years R/o - Swapnapuri Apartment, Flat D - 2, Jaingra Chaumatha Culcutta (Now Kolkata) 59 (West Bengal). --- **Petitioner**

Versus

- State of Chhattisgarh Through - Station House Officer P.S. Khamtarai, Civil & Revenue Distt. Raipur Chhattisgarh

---- Respondent

For the applicant	:	Mr. Amiakant Tiwari, Advocate
For the Respondent	:	Ms. Shobha Kasyap, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28.06.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 32 of 2015 registered at P.S. Khamtarai Distt. Raipur (C.G) for the offence punishable under Section 420 IPC.
2. As per the prosecution case, a report was made by one Tikeshwari Sahu that the applicant went to the house of complainant and said that her husband is charged with crime of theft, therefore, valuable goods be given to him as the raid is going to be conducted in the house, on which, the complainant wife gave valuable goods to the applicant and thereafter the applicant fled from the scene and did not return.
3. Learned counsel for the applicant submits that he has been falsely implicated in this case. He further submits that the charge sheet in this case has been filed and the applicant is

in jail since 01.05.2015, therefore, looking to the period of detention, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and other documents.
6. Considering the facts and circumstances of the case and the fact that the charge sheet in this case has been filed and looking to the period of detention of the applicant as he is stated to be in jail since 01.05.2015, without any observation on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed and 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 shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE