

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7778 of 2015

B.S.R. Shastri, son of Late B.N. Murthi, aged about 53 years, R/o Plot No.403, Mati Heritage, Ispat Nagar, Post Risali, Bhilai, Tahsil & District Durg (C.G). ... **Applicant**

Vs.

State of Chhattisgarh, through District Magistrate & P.S. Bhilai Bhatti, Durg (C.G). ... **Respondent**

For the applicant	:	Mr. Manish Sharma, Advocate.
For the Respondent	:	Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

19.01.2016

1. This is an application filed u/s 439 of the Code of Criminal Procedure seeking granting of regular bail to the applicant in connection with FIR No. 34 of 2015 registered at Police station Bhilai, Distt. Durg (C.G) for the offences punishable under sections 420, 467, 468/34 of IPC.
2. As per the prosecution case, Sunil Kumar Trivedi obtained an amount of Rs.22 lakhs from complainant Samir Diwan of Indian Iron and Steel Company for supply of billets and blossoms but did not supply the same and the beneficiary of the amount was M/s. M.S.M. Wires, which was owned by Sunil Trivedi and his wife Renu Triwadi and this applicant was the common friend of complainant Samir Diwan and co-accused Sunil Trivedi.
3. Learned counsel for the applicant submits that this transaction is of the year 2010 and it was completely in civil nature. He further submits that the allegation against this applicant is that he was only common friend of the complainant and other co-accused, therefore, he was falsely implicated in this case. He further

submits that if such allegations are taken into consideration, no case is made out against the applicant, therefore, he prays for releasing the applicant on bail.

4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Perused the documents. The main allegations are against Sunil Kumar Trivedi who obtained the amount of Rs.22 lakhs and he has been enlarged on bail by the co-ordinate Bench of this Court in M.Cr.C.No.2849/2015 on 01.07.2015.
6. Taking into nature of allegations against this applicant and the fact that co-accused Sunil Kumar Trivedi has been enlarged on bail by the Co-ordinate Bench of this Court, this Court in M.Cr.C.No. I am inclined to release him on bail.
7. Accordingly, this bail petition is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He shall appear before the trial Court as and when directed by the said Court.
8. Cc as per rules.

Sd/-
GOUTAM BHADURI
JUDGE