

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 6861 of 2016**

Kishor Kumar Soni, S/o. Gangaram Soni, Aged about 35 years, R/o. Village Gangrajpur, Police Station- Devbhog, District Gariyaband (C.G.).

**---- Applicant**

**Versus**

State Of Chhattisgarh, Through the Station House Officer, Police Station-Khamtarai, Civil & Revenue District Raipur (C.G.).

**---- Respondent**

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For Applicant : Mr. Kamal Kishor Patel, Advocate

For Respondent : Mr. Neeraj Jain, Govt. Advocate  
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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**07.11.2016**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.366/2016 registered at Police Station- Khamtarai, District Raipur (C.G.) for the offence punishable under Section 420, 468 of Indian Penal Code.
2. As per the prosecution case, on 07.09.2016 one Amit Patel made a report that the applicant is issuing the smart card and was charging Rs.2000/- from the people. Subsequently, the applicant when was arrested from his possession 2-3 smart card was found though he was not authorised to issue the same.
3. Learned counsel for the applicant would submit that the applicant is an employee of the Vidal company, who has been authorised to issue smart card and therefore no offence has been committed. He further submits that the charge sheet has been filed in this case and the applicant is in jail since 07.09.2016, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case, nature of offence & degree of allegation and further taking into fact that the charge sheet has been filed and the applicant is in jail since 07.09.2016, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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/-  
**(Goutam Bhaduri)**  
Judge