

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 200 of 2017

Doshan Kumar Sahu, S/o. Suresh Kumar Sahu, Aged About 28 Years,
R/o. Village Mannoud, Police Station Balod, District Balod, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station Dondi Lohara, District
Balod, Chhattisgarh.

---- Respondent

For Applicant : Mr. Vikas A. Shrivastava, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

25/01/2017

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.234/2016 registered at Police Station- Dondi-Lohara, District Balod (C.G.) for the offence punishable under Section 420 of Indian Penal Code.
2. As per the prosecution case, a report was made by Saroj Kumar Sahu in the year 2014 that the applicant received an amount of Rs.1,50,000/- with an assurance to double the same after a period of one month, however, the amount was not returned. Likewise, the applicant has received different amount from different seven persons which amounted to Rs.4,45,000/- with the same assurance, but eventually the money was not returned. Thereby, the offence has been committed.
3. Learned counsel for the applicant would submit that the incident was of the year 2012, 2013 & 2014 and the applicant has received

the amount for his personal used, which would be evident as per the agreement which is filed by the complainant and the complaint was made on 11.10.2016 and the entire nature of transaction is civil in nature, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary, documents and also statement of the complainant. The case diary also contains few of the agreement wherein it shows that the amount has been taken by the present applicant for his personal expenses. Taking into such fact and the fact that the charge sheet has been filed, without any observation on merit, 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