

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 829 of 2017

1. Sanjay Ghosh @ Munmun, S/o. Late Shri Priya Lal Ghosh, Aged About 34 Years, Caste- Yadav, R/o Amanala, Godripara, Chirmiri, Police Station- Chirmiri, Tahsil- Khadgawa, District- Koriya Chhattisgarh.

----Applicant

Versus

1. State Of Chhattisgarh, Through- Station House Officer Of Police Station- Chirmiri, District- Koriya Chhattisgarh.

---- Respondent

For Applicant	:	Mr. R.K. Bhagat, Advocate
For Respondent/State	:	Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

27/02/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.318/2016, registered at Police Station – Chirmiri, District – Koriya (C.G.) for the offence punishable under Section 420 of Indian Penal Code and Section 4 of the Riniyon Ka Sanrakshan Adhiniyam, 1937.
2. Case of the prosecution, in brief, is that a report was made one Jagarnath alleging that he obtained a loan of Rs.1.00 lakh with interest from the applicant, however, Rs.1,75,000/- was returned and during such transaction a blank cheque was also given by which, the applicant further withdrew an amount of Rs.3,50,000/- from his account. Thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the seizure has been made during the course of investigation, which would reveal that

the applicant has given a loan of Rs.3,50,000/- to the complainant, thereby the false allegation have been levelled against the applicant, therefore, the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the documents. Considering the facts and circumstances of the case, the nature of transaction and further taking into the fact that charge-sheet in this case has been filed and the applicant is in jail since 21.12.2016, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge