

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2173 of 2017**

Wasim Bari S/o Late Safiullah Bari, Aged About 40 Years R/o Ward No. 13, Ramanujganj, Police Station Ramanujganj, District Balrampur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Police Station Ramanujganj, District Balrampur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri M.L. Sen, Advocate on behalf of Shri S.C. Verma, Advocate.
For the Respondent/State	:	Shri Vinod Tekam, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****24.11.2017**

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.115 of 2016, registered at Police Station – Ramanujganj, District – Balrampur, Chhattisgarh for the offence punishable under Sections 420 and 506-B of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 30.11.2016 and he has been falsely implicated by the complainant in this case on account of some money transaction between them. The case has been investigated and the charge-sheet has been filed. The trial of the case is likely to take some time for its final disposal. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that there is clear evidence in the investigation against the applicant regarding commission of offence under Sections 420 and 506 of the IPC and also that the applicant has history of other cases registered against him for prosecution of offences under Indian Penal code. Hence, the applicant is not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.

5. The case against the applicant is that he induced complainant – Sadeek Ansari that he will help him to purchase agricultural cattle and received Rs.1,50,000/- from him fraudulently. On asking of the complainant, he did not return the money and threatened the complainant with dire consequences on account of which the FIR has been lodged and the case has been investigated.

6. Considering the submissions made and the contents of the case diary, the nature of the case against the applicant and looking to the facts that the applicant is a local resident of Ramanujganj and there shall be no difficulty in his availability during trial, I am of the considered view that no purpose would be served if the applicant is kept in detention for the whole period of trial. Hence, this application deserves to be allowed.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge