

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 3812 of 2017**

- Roshanlal Bharti S/o Nilkanth Bharti, Aged About 27 Years R/o Village Kurud, Police Station Dharsiwa, Tehsil Dharsiwa, District Raipur, Chhattisgarh

**---- Applicant**

**Versus**

- The State Of Chhattisgarh Through Station House Officer, Police Station Dharsiwa, District Raipur, Chhattisgarh, Mob. No. 9926935920

**---- Respondent**

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| For Applicant  | : | Mr. M.K. Bhaduri, Advocate    |
| For Respondent | : | Mr. Vinod Tekam, Panel Lawyer |

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

**Order On Board**

**26/10/2017**

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. 131/2017, registered at Police Station- Dharsiwa, District – Raipur (C.G.) for the offence punishable under Section 420, 409 and 201 of Indian Penal Code (for short 'IPC').
2. Learned counsel for the applicant submits that applicant has been falsely implicated in this case. In fact, the cheque issued by applicant that was dishonored had been the basis of prosecution under the provisions of Negotiable Instruments Act, instead of that the FIR has been lodged alleging that offence of cheating and breach of trust has been committed. It is also informed, that the investigation has been

completed and charge-sheet has been filed, hence, prayed that applicant be enlarged on bail.

3. Learned State counsel opposes the prayer for grant of bail, however, he would submit that applicant has issued various cheques to various persons for payment of dues, and all the cheques have bounced for which different cases have been registered against him, hence, he is not entitled for grant of bail.
4. Heard both the parties and perused the case diary.
5. Considering the submissions made and contents of the case diary and taking into consideration this fact that charge-sheet has been filed and trial is about to commence, it would not serve any purpose if the applicant is kept in jail for the entire period of trial and also looking to this fact that he is the local resident of the locality whose availability before the trial Court shall not be compromised if he is enlarged on bail, hence, this appears to be a fit case where the applicant should be enlarged 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.
8. Certified copy as per rules.

**Sd/-**  
**(Rajendra Chandra Singh Samant)**  
Judge