

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5885 of 2017

Suraj Kumar Rathore, S/o. Banshidhar Rathore, Aged About 32 Years R/o Lata Agarkhar, Police Station Darri, Presently R/o H T P S Colony Darri Shopping Center, Qr. No. E - 87, Police Station Darri, District Korba Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station A J A K Korba District Korba Chhattisgarh.

---- Respondent

For Applicant : Mr. Ashok Kumar Shukla, Advocate

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

Hon'ble Shri Justice Ram Prasanna Sharma

Order On Board

22/11/2017

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. 3/2017 registered at Police Station- AJAK Korba, District Korba (C.G.) for the offence punishable under Sections 294,506,420 of the IPC and Section 3(1) (10) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities Act 1989.
2. As per the prosecution case, Nathuram Vani who is the complainant in the present case has borrowed money from the applicant for Rs. 2 lacs which was not returned by him, thereafter, certain transactions were made between the parties for delivering one Xylo vehicle. The applicant gave cheque to the complainant and prepared sale deed of the said vehicle. It is alleged that the applicant made deception to the

complainant by preparing forged document of selling the Xylo vehicle.

3. Counsel for the applicant submits that the complaint was made under obligation to pay amount borrowed by him but he did not repay the amount and made false allegations against the applicant. He further submits that the applicant is in jail since 17.07.2017 therefore, he may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, and the fact that the complainant started transaction by borrowing money from the applicant and further considering the fact that the applicant is in custody since 17.07.2017, without further commenting anything on its merit, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. 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/-

(Ram Prasanna Sharma)
Judge

Santosh