HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5977 of 2017

- Rahul Bhavsagar S/o Shri Gaurishankar Bhavsagar, Aged About 30 Years R/o Qtr. No. 9 B, H. S. C. L. Colony, Ruwabandha, Bhilai, Tahsil And District Durg Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Bhilai Nagar, District Durg Chhattisgarh.

---- Respondent

For Applicant : Shri Ajay Thakre, Advocate
For Respondent/State : Shri Lav Sharma, Panel Lawyer

Hon'ble Shri Justice Ram Prasanna Sharma
Order On Board

24.11.2017

1. Heard the matter finally.

2. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.425/2014, registered at Police Station Bhilai Nagar, District Durg(CG) for the offence punishable under Section 420 read with Section 34 of the IPC.

3. As per the case of prosecution, the applicant made deception to the complainant for selling of land registered in the name of her mother and fraudulently and dishonestly induced her to pay Rs.3,00,000/- and obtained Rs.2,95,000/- from her, but refused to execute the sale deed in favour of the complainant.

4. Learned counsel for the applicant submits that he has been roped in a false charge and the evidence collected by the prosecution is not reliable. He submits that the charge sheet has been filed and the applicant is arrested on 13.07.2017 and the trial may take some time, therefore, he may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Perused the entire material available on record.

7. Considering the facts and circumstances of the case and the fact that there is direct evidence of deception for receiving the money, I am of the opinion that present is not a fit case to release the applicant on bail.

8. Accordingly, the bail application filed under Section 439 Cr.P.C. is rejected.

Sd/

(Ram Prasanna Sharma)
JUDGE

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