

HIGH COURT OF CHHATTISGARH AT BILASPURM.Cr.C. No.6325 of 2017

Tejram Sen S/o Late Shri Brijlal, aged about 49 years, R/o Bajrang Chowk, near Shahid Hospital, Ward No.12, Dallirajhara, District Balod (C.G.).

---Applicant

Versus

State of Chhattisgarh, Through : District Magistrate Durg, District Durg (C.G.).

---Respondent

For applicant	:	Shri Shikhar Bakhtiyar, Advocate.
For resp./State	:	Shri D.R.Minj, Dy.G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

30/11/2017

1. The applicant has preferred this bail application under Section 439 of Cr.P.C. in connection with Crime No.326/2017 registered at Police Station Bhilai (C.G.) for the offence punishable under Section 420, 380, 120B, 34 IPC.
2. Present applicant is in jail since 17/07/2017.
3. As per the prosecution case, the present applicant and the other accused person is said to have defrauded the complainant - Dilip Kumar Sori for an amount of more than Rs.6,00,000/-.
4. The contention of the counsel for the applicant is that, in the entire case diary, there is no averment of any act which the present applicant have played in the alleged act of fraud and cheating with the complainant. He

further submits that, even if the entire version of the prosecutrix is accepted the only allegation against the present applicant was found is that of introducing the complainant to one of the accused person, Sadhram, and hence prayed for releasing the applicant on bail.

5. The State counsel however opposing the bail application submits that, it is a case where the present applicant was acting as an agent on behalf of Sadhram and has introduced the complainant to Sadhram and thereafter the Sadhram and the complainant entered into the transaction for exchange of money on interest at the rate of 2% and subsequently the amount which has been paid was not being repaid which lead to the filing of the complain.

6. Considering the entire facts and circumstances of the case and also taking into consideration the nature of allegation against the present applicant that of only introducing the complainant to the main accused, Sadhram, this Court is of the opinion that, a strong case has been made out for grant of bail to the present applicant.

7. Accordingly, the application for grant of bail is allowed. It is ordered that the applicant shall be released on bail on his executing 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. The applicant shall thereafter appear before the Trial Court on each and every date given by the said court.

Sd/-
(P. Sam Koshy)
JUDGE

Sumit