

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.5104 of 2017**

- Varun Kumar Mishra S/o Lal Babu Mishra, Aged About 22 Years R/o 13/598, Sailus Singhiya Nagar (House Of Sharad Divse), Police Station Mohan Nagar, District Durg Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kotwali, Ambikapur, District Surguja Chhattisgarh.

---- Respondent

 For Applicant : Shri DK Vishwakarma, Advocate
 For Respondent/State : Shri Neeraj Jain, Panel Lawyer

Hon'ble Shri Justice Chandra Bhushan Bajpai
Order On Board

29.8.2017

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.49/2017 registered in Police Station Kotwali, Ambikapur, Distt. Surguja (CG) for the offence punishable under Sections 379, 420, 467, 471 of the Indian Penal Code and under Section 6(c) of the Information Technology Act, 2000.

3. Learned counsel for the applicant submits that the applicant has been arrested on 22.04.2017, after investigation, Police has filed charge sheet which is pending before Chief Judicial Magistrate, Ambikapur as Criminal Case No.889/2017. Learned counsel for the applicant would submit that the applicant and the complainant were friends and the complainant had taken loan from the applicant . The complainant in order to avoid to return the said loan amount, lodged the false report against the

applicant. The applicant is a disabled person, a student of B.Sc., as the trial may take some time for its conclusion, he may be released on bail.

4. Per contra, learned counsel for the State opposed the arguments advanced on behalf of the applicant.

5. Perused the entire material.

6. On due consideration of the entire facts surfaced in the charge sheet, without commenting anything on its merits, I am not inclined to grant bail to the applicant.

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

Sd/-
(Chandra Bhushan Bajpai)
JUDGE