

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 426 of 2018

- Ramu Yadav S/o Late Shri Jallu Yadav, Aged About 45 Years R/o Marauda Near Railway Station Shiv Nagar, Newai Bhattha P. S. Newai, District Durg Chhattisgarh, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Civil Line District Raipur Chhattisgarh, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. C. R. Sahu, Advocate
For Respondent	:	Mr. Anil S. Pandey, GA.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

20.03.2018

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. 828/2016, registered at Police Station- Raipur, Civil Lines, District – Raipur, (C.G.) for the offence punishable under Sections 193, 420, 467, 468, 34 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he is in jail since 25.12.2016. After completion of investigation the charge-sheet has been filed and still the trial has not been concluded in this case. The case is triable by JMFC and the applicant is ready to abide by all the conditions which may be imposed while granting bail to him, hence, it is prayed that the applicant may be released on bail.

3. Learned counsel for the State opposes the bail application and submission made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. According to the case of prosecution this applicant appeared before the JMFC, Raipur, on 24.12.2016 to furnish bail for accused- (Javed Khan). The "Rin Pustika" presented before the Court for furnishing bail was found to be forged. On that basis an inquiry was made and FIR was lodged against this applicant in this case.
6. Considering the submissions made by learned counsel, contents of the case diary. Presently the case is before the trial Court and the trial has not completed after passing of more than one year, hence, looking to the pendency of the trial, I am of the view that it is a fit case where the applicant should be released on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his 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 /-

(Rajendra Chandra Singh Samant)

Judge