

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.376 of 2018**

Ashok Kumar Jayswal S/o Shri Yupnarayan Jayswal, By Caste-Kalar, aged about 45 years, R/o. Village Dipka Basti, P.S. Dipka, Civil & Revenue Distt.-Korba (CG)

---Applicant

Versus

State of Chhattisgarh through the Station House Officer, Police Station-Dipka, Civil & Revenue Distt.-Korba (CG)

---Non-Applicant

For Applicant	:	Dr.Sanjeet Sharma, Advocate
For Non-applicant	:	Mr.D.R.Minz, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

16/3/2018

1. This is the first bail application under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.90/2017, registered at Police Station-Dipka, District-Korba (CG), for the offence punishable under Section 420 of the IPC.

2. Case of the prosecution, in brief, is that the applicant obtained Rs.1,00,000/- to secure employment for grandson of complainant Ram Singh Kanwar and thereby he committed the offence.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. In fact, the applicant has filed a complaint against complainant-Ram Singh Kunwar and his two sons for commission

of offence under Sections 457, 294 and 506B/34 of the IPC and as a counter-blast, Ramsingh Kanwar has filed false complaint against the present applicant. He is in jail since 15.12.2017 and charge-sheet has already been filed.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, role of the present applicant in crime in question, pre-trial detention of the applicant and the fact that dispute is pending between the parties, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

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

8. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the 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/-

(Sanjay K. Agrawal)
JUDGE

B/-