

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.382 of 2018**

Sadaram Ratre, aged about 46 years, son of Shri Sukul Ram, resident of Jaihind Club, Shanti Para, Near Gatwa Pond, Bhilai-03, Distt. Durg (CG)

---Applicant

Versus

The State of Chhattisgarh Through the Collector, Distt. Durg, through Station House Officer, Police Station-Bhilai Nagar, Distt. Durg (CG)

---Non-Applicant

For Applicant	:	Mr.M.K.Bhaduri, Advocate
For Non-applicant	:	Mr.D.R.Minz, Dy.Govt.Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

22/03/2018

1. This is the first bail application filed 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.326/2017, registered at Police Station-Bhilai Nagar, District-Durg (CG), for the offence punishable under Sections 420, 380 and 120B/34 of the IPC.

2. Case of the prosecution, in brief, is that the applicant and other co-accused persons are said to have defrauded complainant-Dilip Kumar Sori to the tune of ₹ 6,00,000/- and thereby 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. He would further submit that the applicant in jail since 17.7.2017, charge-sheet has already been filed and no useful purpose will be served by detaining him in jail. He would also submit that

that co-accused Tejram Sen has already been released on bail vide order dated 30.11.2017 in M.Cr.C.No.6325 of 2017. Therefore, the present applicant may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that the applicant has defrauded the complainant.

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, nature of allegation against the applicant, nature of dispute, pre-trial detention of the applicant for more than 8 months and the fact that charge-sheet has already been filed, 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