

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1074 of 2018

- Ram Bharos S/o Lalsai Aged About 40 Years R/o Sirmina, Chowki- Korbi, District Korba Chhattisgarh, District : Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Incharge, Police Chowki- Korbi, Police Station Pasan, District Korba Chhattisgarh, District : Korba, Chhattisgarh

---- Respondent

For Applicant	:	Shri Aditya Khare, Advocate
For State	:	Shri Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

11/05/2018

Heard.

The applicant has been arrested in connection with Crime No.30/2017 registered in Police Chowki - Korbi, Police Station - Passan, District - Korba (C.G.) for alleged commission of offences under Sections 420, 34 of IPC.

2. Case of the prosecution is that the applicant sold spurious items showing it to be gold, thus cheated the complainant by taking from him Rs.1,50,000/-.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in a business transaction by the complainant. It is submitted that the applicant has not committed any offence. It is further submitted that investigation is complete, charge sheet has been filed and the applicant is in jail since 10/12/2017. Therefore, at this stage, the applicant may be granted bail.

4. On the other hand, learned counsel for the State opposes bail application and submits that a prima facie case is made out because on the basis of suggestion taken from a local gold smith, a report was made by the investigation agency that the seized items are not gold.

5. Taking into consideration the submission of learned counsel for the parties, the amount involved and that the investigation is complete, charge sheet has been filed and the applicant is in jail since last five months, I am inclined to grant bail to the applicant.

6. Accordingly, the application is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the concerned Trial Court, with following further conditions:

- (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge