

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7588 of 2017**

Ranchhod Agrawal S/o Late Shri Akhilanand Agrawal Aged About 47 Years R/o Agrawalpara, Aarang, Police Station, Tehsil Aarang, District Raipur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer, Police Station Tumgaon, District Mahasamund, Chhattisgarh., Chhattisgarh.

---- Respondent

For the Applicant : Shri Amrito Das, Advocate.
For the Respondent/State : Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****16.01.2018**

1. The matter is heard on out of turn hearing on the ground that the mother of the applicant is seriously ill and admitted in the hospital for which the applicant is required to attend and look after the treatment given to her.

2. 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.14 of 2017, registered at Police Station – Tumgaon, District Mahasamund, Chhattisgarh for the offence punishable under Section 420 read with Section 34 of the Indian Penal Code.

3. Learned counsel for the applicant submits that the applicant is in jail since 25.09.2017 and he has been falsely implicated in this case. The

applicant is owner of 40 acres of land in District Mahasamund which was the land under cultivation and he has sold the produce of the same land to the Paddy Procurement Centre which he can prove before the trial Court. The trial of the case is likely to take some time for its final disposal. Hence, it is prayed that the applicant be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the applicant has cheated the state exchequer not being entitled to make a sale of the paddy as he was not the producer of the same. Hence, the applicant is not entitled for grant of bail.

5. Heard counsel for both the parties and perused the case diary.

6. The case is that 190 bags (80 quintals) of paddy was sold to Paddy Procurement Centre showing to be produced from agricultural land of this applicant. On receiving a complaint, enquiry was made and it was found that the applicant is owner of the 40 acres of land, which was uncultivable, thereafter, the case was registered.

7. Considering the submissions made and the contents of the case diary, the charge-sheet has been filed and the case is likely to take sometime for its final disposal, I am of the considered view that no purpose would be served if the applicant is kept in detention for the whole period of trial. Hence, this application deserves to be allowed.

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

9. It is directed that the applicant shall be released on bail on 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/-

(Rajendra Chandra Singh Samant)
Judge