

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 7378 of 2017**

Udayacharan Banjare @ Dilip, S/o. Haricharan Banjare, Aged About 45 Years, R/o. Village - Anwari, Wirejhar, P. S. Kurud, Distt. -Dhamtari Chhattisgarh

---- Applicant

Versus

State of Chhattisgarh, Through : The District Magistrate, Dhamtari, District -Dhamtari, Chhattisgarh

---- Respondent

For Applicant	: Mr. Pragalbha Sharma, Advocate
For Respondent/State	: Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**12/01/2018**

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.203/2017, registered at Police Station – Kurud, District – Dhamtari (C.G.) for the offence punishable under Section 420 of Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant and complainant had some transaction of loan and applicant could not repay the same because of which, false complaint has been lodged against him. All the complainant have compromised with the applicant and given such statement before the trial Court. Certified copies of the statements of the complainant is attached with the application.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. The case against the applicant is this that he obtained total amount of Rs.2.00 lakhs from the complainant and six other persons on giving assurance that he can procure government jobs for the concerned persons and as he could not arrange any government job, the complainant and others have lodged FIR against him..
6. Considered the submissions made and the contents of the case diary and also perused the certified copies of the statement of the complainant and the witnesses, who are alleged to have been cheated by the applicant. The case is triable by Judicial Magistrate First Class and looking to the development of things, 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 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge