

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 1706 of 2018**

Shyam Manikpuri @ Golu, S/o. Shri Kamaldas Manikpuri, Aged About 31 Years, R/o. Motipur, Ganesh Para, Ward No.08, Police Station -Outpost, Chikhli, Tahsil and District- Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- Outpost Chikhli, Police Station Kotwali, District- Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Roop Naik, Advocate
For State/respondent	: Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**24/04/2018**

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.645/2017, registered at Police Station – Kotwali, Out Post Chikhli, District – Rajnandgaon (C.G.), for the offence punishable under Section 420/34 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is in jail since 14.11.2017. No case is made out against the applicant according to the prosecution case. Presently the case is before the trial Court and the trial of the case is likely to take sometime for its conclusion. Therefore, it is prayed that the applicant may be enlarged on bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect and it is submitted

that no case is made out for grant of bail.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the case of the prosecution, the applicant along with his companion gave inducement to the complainant Pawan Sahu that he can double the amount received by him within a short period of time, being induced the complainant paid him Rs.2,60,000/- but no amount was refunded to the complainant as promised. Hence this case.
6. Considered on the submissions made and the contents of the case diary. After due consideration, it appears that presently the case is before the trial Court and this applicant does not have any criminal antecedent and no purpose would be served, if the, applicant is kept in detention during the pendency of the trial, hence for this reason, 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