

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2545 of 2018

- Dhanesh Dewangan S/o Netram Dewangan Aged About 40 Years R/o- Banki Mongra, P.S.- Banki Mongra, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, P.S.- Banki Mongra, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Akhatar Hussain, Advocate.
For Respondent	:	Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

25/06/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.146/2017 registered at Police Station- Banki Morgra, District – Korba (C.G.) for the offence punishable under Section 420 of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 18.3.2018. Charge-sheet has been filed after completion of investigation. No case is made out against this applicant. A totally false FIR has been lodged by complainant against this applicant in this case. Hence, it is prayed that he may be enlarged on regular bail.
3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that applicant has played a role in

the commission of offence by main accused Adhiraj Builders, hence, he is not entitled for grant of bail.

4. Heard both the parties and perused the case diary.
5. According to prosecution case, complainant Uma Devi was given inducement by this applicant to make a purchase of plot from Adhiraj Builders & Infrastructure in the colony under construction. Complainant made a purchase of one plot by making payment of Rs.6.20 lakh but she never received possession of any plot and nor any plot was registered in her name by Adhiraj Builders. Hence, this case.
6. Considered on the material present in the case diary, as it appears that this applicant has personally not received any amount from the complainant and the main accused happens to be the Director of the Adhiraj Builders and Infrastructures, for these reasons, I am of this view that applicant should be granted regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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