

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3262 of 2018**

Dilip Gupta S/o Shri Panna Lal Gupta Aged About 44 Years R/o- Near The House Of Ward Member Kohale, Ward No. 16, Shankar Nagar, Police Station- Mohan Nagar, Durg, Tahsil And District- Durg, Chhattisgarh., District : Durg, Chhattisgarh.

---- Applicant**Versus**

The State Of Chhattisgarh Through- The District Magistrate, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri P.K. Patel, Advocate.
For the Respondent/State	:	Shri Anil S. Pandey, G.A. and Shri Anupam Dubey, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****03.07.2018**

Heard.

1. This is the second bail application of the applicant. The first bail application has been dismissed on merits by the Co-ordinate Bench of this Court, is no longer available. The applicant has been arrested in connection with Crime No. 120 of 2017, registered at Police Station City Kotwali, Durg, Chhattisgarh for the offence punishable under Sections 420, 406 and 409 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 21.02.2017 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. After completion of investigation, the charge-sheet

has been filed and no progress has taken place in the trial against the applicant. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsels for the State oppose the bail application and the submissions made in this respect. It is submitted that the first bail application of the applicant has been dismissed on merits and the amount involved in this case is of huge magnitude to the tune of Rs.76,00,000/-. Hence, the applicant is not entitled for bail.

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

5. Considered the material present in the case-diary. Although, the first bail application was dismissed on merits but no progress has taken place in the trial against the applicant and the conclusion of the trial is likely to take sometime for its final disposal, I am of the considered opinion that the applicant deserves to be released on bail.

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

7. It is directed that 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