

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4752 of 2018**

- Ghasiyaram @ Ghasiram S/o Keertiram Sahu Aged About 56 Years
R/o- Dodki, P.S.- Sakti Tehsil- Sakti, District- Janjgir-Champa,
Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through- District Magistrate Janjgir, District-
Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicant	: Mr. Basant Dewangan, Advocate
For State/respondent	: Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****30/07/2018**

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.287/2018, registered at Police Station Sakti, District-Janjgir-Champa(C.G.) for the offence punishable under Section 392 of the Indian Penal Code.
2. It is submitted by learned counsel for applicant that the applicant has been falsely implicated in this case. He is in jail since 17.5.2018. No case is made out against this applicant. The fact is this that this applicant was employed as a Chaukidar by the complainant for which

the wages were not paid and the applicant was demanding his wages because of which the motorcycle was left by the complainant in possession of this applicant as security. Totally false FIR has been lodged against this applicant, hence, it is prayed that he may be released on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the case against this applicant, it is alleged that on the date of incident this applicant stopped the complainant on his way and then after abusing and thrashing him has taken over the possession of his motorcycle which has been seized from his possession after the lodging of FIR. Hence, this case.
6. There is no statement under Section 161 of CrPC given by complainant that he had employed by the applicant as Chaukidar for wages of Rs.6000/- per month. For this reason, I am of this view that this is a fit case where the applicant should be released on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed. 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge