

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5108 of 2018

Lal Awadhesh Chaudhari S/o Shri Garaju Prasad Chaudhari Aged About 28 Years R/o Lakshmane Garh Tah Udaypur, Surajpur District : Surajpur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The District Magistrate, Surguja District Surguja Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Sunil Otwani, Advocate
For Respondent	:	Mr. Anupam Dubey, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

08/08/2018

1. This is the first bail applications filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.48/2017, registered at Police Station- Udaypur, District – Surguja (C.G.) for the offence punishable under 120-B, 420, 467, 468 & 471 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. Applicant is in jail since 26.04.2017. No case is made out against him according to the material present in the charge-sheet. Hence, it is prayed that the applicant may be enlarged on bail.
3. On the other hand, the learned counsel appearing for the State opposes the bail application and the submission made in this respect.

4. I have heard the learned counsel for the parties and perused the documents placed on record.
5. The allegation against this applicant is this that he induced the complainant and others that he will arrange for appointment of the complainant and others in NGO for which they will receive honorarium of Rs.5,000/- per month and received Rs.10,000/- from each of the aggrieved persons by way of illegal gratification, which was not refunded by the applicant.
6. Considered the submissions made and the contents of the case diary. Considering on the entire material present in the case diary, the case is before the trial Court and the trial of the case is likely to take sometime, the applicant is local resident of District Surajpur, hence after due consideration, 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 Cr.P.C. is allowed.
8. 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge