NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5387 of 2018

Sanjeev @ Sanju Manikpuri S/o Shri M.M. Manikpuri Aged About 41 Years R/o- Sanyasipara, Khamtarai, Police Station Khamtarai, Raipur, Tahsil And District- Raipur, CG

---- Applicant

Versus

State of Chhattisgarh Through- Station House Officer, Police Station Ganj, District- Raipur, CG

---- Respondent

For applicant — Mr. Arun Kochar, Adv.
For Respondent/State — Mr. Satish Gupta, Govt. Adv.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

18-9-2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.

2. The applicant has been arrested in connection with Crime No. 156/2018 registered in police station Ganj, Distt. Raipur (CG) for offence punishable under Section 420/34 of the IPC.

3. Prosecution story in brief is that complainants Rohan Kumar Nag and Jishan Ahmed Siddiqui are residents of Raipur. The applicant and co-accused Shish Kumar Nag demanded Rs. 10 lacs from the said complainants promising that complainants will be provided medical store by them in the campus of AIMS Hospital, Raipur. Under the allurement, the said complainants gave Rs. 2 lacs to the applicant and co-accused Shish Kumar Nag in the month of January, 2015. Even after a lapse of long time, the complainants neither got the medical shop nor the amount which was given by them to the applicant and co-accused Shish Kumar Nag. Thereafter, co-accused Shish Kumar Nag gave a cheque of Rs. 70,000/- in the name of complainant Jishan Ahmed Siddiqui which was dishonoured.

4. Counsel for the applicant argued that the applicant is innocent and falsely implicated hence he be released on bail.

5. On the other hand, the Panel Lawyer appearing for the State opposed the bail application. However, he submitted that no criminal

antecedent of the applicant is reported in the police case diary.

6. Looking to the above facts and circumstances of the case, looking to the facts that there is no likelihood of the accused to abscond and tamper the evidence, trial will take its own time, this Court is inclined to give benefit of Section 439 of the Cr.P.C. to the applicant. Consequently, the application is allowed. It is ordered that if the applicant furnishes two solvent sureties of Rs. 20,000/- each along with one personal bond of the 40,000/- to the satisfaction of the trial Court concerned with the condition that he will appear before the concerned trial Court at 11 AM as and when directed till trial, he be released on bail.

7. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Pathak