

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5618 of 2018

Imran Kadri, S/o Iqbal Kadri, Aged About 29 Years, R/o- Pensionbada, Policeline, Raipur, Police Station-City Kotwali, Raipur, Tehsil And District- Raipur, Chhattisgarh

---- Applicant

Versus

State of Chhattisgarh, Through- Police of Police Station- Simga, District- Baloda Bazar- Bhatapara, Chhattisgarh

---- Respondent

For Applicant	: Shri K.K. Dewangan, Advocate.
For Respondent/State	: Shri Anil Pandey, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

29/08/2018

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with Crime No. 199/2018, registered at Police Station Simga, District – Baloda Bazar, Bhatapara (C.G.) for the offence punishable under Section 420 of the IPC.
2. As per the prosecution story, on 01.07.2017 one Balram Khande has lodged a written report against the applicant, wherein it was alleged that the applicant enticing him that he will get appointed his son for a government job and after obtaining total money of Rs.10,25,000/- between 23.09.2014 till end of November, 2015, but he did not get the job nor he returned the money back to the complainant, which he received from him. On the basis of that offence has been registered and the applicant was arrested on 19.06.2018.
3. Shri Krishna Kumar Dewangan, learned counsel appearing on behalf of the Applicant submits that applicant is innocent and he has been

falsely implicated in the present case. He further submits that virtually the applicant has obtained Rs.70,000/- from the complainant Balram Khande which was already returned by him. The complainant Balram Khande himself executed an agreement wherein he admitted the fact that he received back the entire loan amount with interest from the applicant. He further submits that due to some dispute between them, applicant has been falsely implicated in the present case. He further submits that the applicant is in custody since 19-06-2018, charge sheet has not been filed yet and trial will likely to take some more time, therefore, he may be released on bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties and perused the case diary.
6. Considering the facts and circumstances of the case, further considering the fact that incident was taken place between 23.09.2014 till end of November, 2015, and FIR was lodged on 01.07.2017, the applicant is in custody since 19-06-2018 charge sheet has not been filed yet, therefore, trial will likely to take some time, without further commenting on merit of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge