

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5849 of 2018**

- Arjun Singh S/o Shankar Singh Aged About 27 Years R/o- Housing Board Boriyakala Block No. 36 House No. 573, P.S. Mujaghan, Raipur Tahsil And District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through- Station House Officer, Police Station- Gobara Nawapara, Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

For Applicant	: Mr. Shubham Tripathi, Advocate
For State/respondent	: Mr. Anupam Dubey, Dy. Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****07/09/2018**

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.58/2017 registered at Police-Station-Gobara Nawapara, District-Raipur(C.G.) for the offence punishable under Sections 419, 420, 467, 468, 471, 34 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Main accused in this

case Abhishek Sahgal has been granted regular bail by this Court in MCRC No.7980 of 2017 vide order dated 28.02.2018. It is submitted that this applicant has a better case, hence, it is prayed that he may be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that this applicant has a previous record of having been prosecuted for similar nature of offence, hence, he is not entitled for grant of regular bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the FIR lodged in this case, a purchase of gold ornaments worth Rs.1,34, 977/- was made by main accused Abhishek Sahgal from the concern of complainant Sunil Kumar Bangani, towards the payment of price a check purported to be signed by Neharu Patel was given in security with promise to make the payment on later date. The main accused did not turn up to make the payment. The allegation against this applicant is this, that he was in company of the main accused at the time of this transaction. Hence, this case.
6. After considering on entire material present in the case diary and further considering the fact that similarly placed co-accused person has been granted regular bail by this Court. For this reason, I am of the view that present applicant is also entitled to be released on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. are 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

Nisha