

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 6030 of 2018**

Uttar Seth, aged about 47 years, S/o Dhubaleshwar Seth, R/o Rajeev Nagar, Awanti Vihar, P.S. Telibandha, Raipur (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Police Station Telibandha, District Raipur.

---- Non-applicant

For Applicant : Mr. N. Naha Roy, Advocate.

For Non-applicant : Ms. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****26.09.2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no other bail application is pending before any other Court.
2. Perused the case diary provided by the counsel for the State in connection with Crime No.18/2018 registered at Police Station Telibandha, District Raipur for the offence punishable under Sections 420 of Indian Penal Code.
3. Case of the prosecution, in brief is that the applicant took a sum of Rs.2,80,000/- from complainant Sohan Kumar Sahu and Rs.2,00,000/- from complainant Nagesh Kumar Sahu to provide job to them in the office of Directorate, Department of Public Prosecution. Thereafter, the said complainants did not get the job; and the applicant did not return back the alleged amount to them.
4. Counsel for the applicant submits that the applicant has not committed any offence. He is innocent and has been falsely implicated in

the present case and, therefore, he may be released on bail.

5. On the other hand, counsel for the State opposes the prayer for grant of bail to the applicant. However, he further submits that no criminal antecedent is reported against the applicant in the police case diary.
6. I have heard counsel for the parties and perused the case diary with utmost circumspection.
7. Looking to the above facts and circumstances of the case, the application is allowed. It is ordered that if the applicant furnishes two solvent sureties each for a sum of Rs.25,000/- along with one personal bond of Rs.50,000/- to the satisfaction of the concerned Trial Court with this condition that will not involve himself in any of the crime in future, he be released on bail.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-