

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5924 of 2018**

Abhishek Pandey S/o Late Shri Vidyasagar Pandey Aged About
26 Years R/o- Satna Road, Maihar, P.S. Maihar, District- Satna,
(Madhya Pradesh).

---- Applicant

Versus

State Of Chhattisgarh Through- The Station House Officer,
Police Station Rajim, District- Gariyaband, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri B.D. Guru, Advocate
For the State	:	Shri Satish Gupta, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**07/09/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the counsel for the State in connection with the Crime No. 157/2014 registered at Police Station Rajim, District Gariyaband (C.G.) for the offence punishable under Sections 420 read with Section 34 of IPC.
3. Case of the prosecution, in brief is that complainant Khuman Lal Sahu is resident of village Sursabandha, District Gariyaband. Since back 25/10/2013 to 22/01/2014 he received some calls from different SIM numbers that due to his lucky mobile number, Airtel Company wants to give him gift a Honda City Car and Rs. 25 Lakhs cash, thus he deposit the amounts in certain account numbers of the State Bank. He under the allurements deposited Rs.10,68,400/- in 42 account numbers but he did not get the gift.
4. During the investigation it was found that Rs.5000/- were deposited in the

account of applicant.

5. Counsel for the applicant argued that applicant is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
6. On the other hand, learned counsel for the State opposes the bail application.
7. As per the alleged compromise application between complainant and applicant, applicant has compromised the matter.
8. Looking to the above mentioned facts and circumstances of the case and as per the statement of the Govt. Advocate there is no antecedents of the applicant, this Court is inclined to give the benefit of Section 439 of the Cr.P.C. to the present applicant.
9. Consequently, the bail application filed under Section 439 of the Cr.P.C., is allowed. It is directed that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Court with the condition that he shall appear before the trial Court at 11.00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
10. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge