

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 6074 of 2018

- Hemlal Sahu S/o Late Parauram Sahu Aged About 56 Years R/o Chhattisgarh Nagar Tikrapara, Police Station Tikrapara, Raipur District Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Tikrapara, Raipur District Raipur Chhattisgarh

---- Respondent

For Applicant	: Shri C.R. Sahu, Advocate.
For Respondent/State	: Shri Vaibhav Goverdhan, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

28/09/2018

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. 198/2018, registered at Police Station Tikrapara, District Raipur (C.G.) for the offence punishable under Section 420/34 of the IPC.
2. As per the prosecution story, complainant Shail Verma lodged a report alleging that present applicant and other co-accused person namely Daulatram, on the protest of providing job obtained total 21,25,000/- Rs. From him as well as from Pushpendra Verma, Murli Verma, Mahesh Verma, Roshan and Pradeep, but nor they provided them any job nor they returned their money. On the basis of said report, offence has been registered and the applicant has been arrested on 08-05-2018.
3. 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 the incident is of the 2016 and the FIR was lodged after two years, there is no evidence available on record against the applicant which shows that present applicant had obtained money from any of the complainants. He further submits that co-accused Daulat Ram and Panchram Verma have already granted benefit of bail by this Court vide order dated 24-07-2018 passed in MCRC No. 3984/2018 and order dated 13-09-2018 passed in MCRC No. 5914/2018, applicant is in custody since 08-05-2018 and trial will take some time. Therefore, he may be released on bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the other co-accused persons have already granted benefit of bail by this Court, the applicant is in custody since 08-05-2018 and trial is likely to take some time, without further commenting on merits 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 solvent 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