**NAFR**

# HIGH COURT OF CHHATTISGARH, BILASPUR

## MCRC No. 6087 of 2018

- Yashwant Kumar @ B.D.O. S/o Salik Ram Aged About 35 Years R/o- Village- Bade Dumarpali, Thasil- Kharisya, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through- Police Station- Pusaur, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

**---- Respondent**

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For Applicant : Mr. Sanjay Agrawal, Advocate

For State/respondent : Mr. Rahul Tamaskar, Panel Lawyer.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**

**Order On Board**

**17/09/2018**

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.50/2018 registered at Police-Station-Pusaur, District-Raigarh(C.G.) for the offence punishable under Section 420/34 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. No case is made out against him. It is a case of unpaid price of the diesel purchased by the co-accused Sanjay Agrawal, who is the main accused person, who has

made the purchase of which the price is unpaid. Hence, it is prayed that he may be released 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 according to the memorandum statement given by co-accused person, this applicant happens to be the main accused in this case. Hence, the application be rejected.

4. I have heard the learned counsel for both the parties and perused the case diary.

5. According to the case in hand, a purchase of 3000 litres of diesel was made from Baba Mohandas Petrol Pump, Pusour, District- Raigarh. Regarding payment of price a cheque was issued by co-accused Sanjay Agrawal, which was dishonored by bank, hence, the FIR was lodged. The allegation against this applicant is this, that he was in the company of the co-accused Sanjay Agrawal at the time of this transaction. Hence, this case.

6. Considering the entire material present in the case diary, I am of the view that this is a fit case where applicant should 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**