

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6734 of 2018**

Vikas Jain, S/o R.K. Jain, Aged About 46 Years, R/o House No. 22,
Prem Pushp Jalvihar Colony, Police Station- Telibandha, District :
Raipur, Chhattisgarh

---- Applicant**Versus**

State of Chhattisgarh, Through Station House Officer, Police
Station- Civil Line, District- Raipur Chhattisgarh

---- Respondent

For Applicant. : Shri Rajeev Shrivastava, Advocate.
For Respondent. : Smt. M. Asha, PL

Hon'ble Smt. Justice Rajani Dubey
Order on Board

10/10/2018

1. The applicant has filed this *First bail application* under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.47/2018 registered at Police Station : Civil Lines, District – Raipur (C.G.) for the offence punishable under Section 420 of the IPC.
2. The prosecution story in brief is that the applicant first sold the plot No. 45, admeasuring 1200 square feet to the complainant Reetarani Jain for consideration of Rs. 12,00,000/- by the registered sale deed, thereafter, the same plot was also sold to another complainant Amit Chandraker and thereby committed cheating by the applicant. Based on this, the offence was registered against the applicant and he has been arrested on 30.01.2018.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He further submitted that the other co-accused Ashish Jain has been benefited with grant of bail in MCRC No. 1788/2016 by co-ordinate Bench of this Court and the present applicant in MCRC No. 6422/2017 in connection with other crime number have been benefited with grant of bail by co-ordinate Bench of this Court, therefore, he may be released on bail.
4. On the other hand, State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case and further considering the fact that other co-accused Ashish Jain in MCRC No.1788/2018 and the present applicant in MCRC No. 6422/2017 in connection with other crime number have been benefited with grant of bail by co-ordinate Bench of this Court, I am inclined to release the applicant on bail.
7. Accordingly, the 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. 25,000/- with one surety for the like amount to the satisfaction of the Trial Court for his appearance before the Trial Court as and when directed.

Sd/-
(Rajani Dubey)
Judge