

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6274 of 2018**

Derharam S/o Milauram Satnami Aged About 38 Years R/o- Village-
Bijabhath, Police Station, Tahsil And District- Bemetara, Chhattisgarh.,
District : Bemetara, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- Station House Officer, Police Station-
Bemetara, District- Bemetara, Chhattisgarh., District : Bemetara,
Chhattisgarh.

---- Respondent

For the Applicant : Shri Roshan Dubey, Advocate.

For the Respondent/State : Shri Anupam Dubey, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****11.09.2018**

Heard.

1. This is the second bail application of the applicant. The first bail application of the applicant was dismissed as withdrawn in M.Cr.C. No. 4721 of 2018 dated 24.7.2018. The applicant has been arrested in connection with Crime No.127 of 2018, registered at Police Station Bemetara, District – Bemetara, Chhattisgarh for the offence punishable under Section 420 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 23.6.2018 and has been falsely implicated in this case. After completion of investigation, the charge-sheet has been filed. No case is made out against the applicant on the basis of the material placed before the

Court by the prosecution. Hence, it is prayed that the applicant be enlarged on bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect. It is submitted that looking to the evidence present in the charge-sheet against the applicant, he is not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.

5. It is alleged that the applicant made a collection of Rs.500/- to Rs.1,500/- from various persons numbering 60-70 persons, for the purpose of facilitating the distribution of sewing machines and cycles in their favour according to the scheme of the Government. When the aggrieved persons came to know of the fraud committed, they lodged FIR against the applicant.

6. Considering the material present in the case-diary, there is no criminal antecedents against the applicant and the trial of the case is likely to take sometime for its final disposal, I am of the considered view that this application deserves to be allowed.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. 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. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi