

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6291 of 2018

Vinod Kumar S/o Late Hansraj, aged about 27 years, R/o Village- Baurad (Bartihapara), P.S.- Patna, District- Koriya (C.G.).

--- Applicant

Versus

State of Chhattisgarh, Through- Police Station- Ambikapur, District- Surguja (C.G.).

---- Respondent

For Applicant	:	Mr. A.K. Yadav, Advocate
For Respondent	:	Mr. Vaibhav Goverdhan, PL

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 the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 576/2017 registered at Police Station- Ambikapur (C.G.) for the offence punishable under Sections 420, 506, and 120 (B) of the IPC.
2. As per prosecution story, the allegations against the present applicant is that he along with other co-accused persons sold some fake gold biscuits to complainant- Khinaram and obtained Rs. 3 lakhs from him. A report was made by the complainant and the offence has been registered. The applicant has been arrested on 28/05/2018.
3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. The incident happened on 29/09/2017 and the FIR has been lodged on 09/10/2017. Delay has not been properly explained. He

further submits that the fraud has been committed by one Akhilesh and the present applicant has been shown as Akhilesh, but no test identification parade has been conducted by the prosecution. He further submits that the applicant is in custody since 28/05/2018, charge-sheet has been filed and the trial will take much more time. He prays for releasing of the applicant on bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. Considering the entire facts and circumstances of the case, particularly considering the applicant is in custody since 28/05/2018, charge-sheet has been filed and the trial will likely to take some time, I am inclined to release the applicant on bail.
6. Accordingly, the bail application is allowed.
7. 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 surety in the like sum to the satisfaction of the trial Court for his appearance before the said Court, as and when directed.

Sd/-

(Arvind Singh Chandel)
Judge