

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6395 of 2018**

Akash Taneja S/o Ashok Kumar Taneja Aged About 35 Years R/o-
Sargipali, Police Station- Kondagaon, District- Kondagaon,
Chhattisgarh., District : Kondagaon, Chhattisgarh .

---- Applicant

Versus

State Of Chhattisgarh Through- Police Station- Kondagaon, District-
Kondagaon, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Kishore Narayan, Advocate
For the State	:	Shri Neeraj Sharma, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**23/10/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the counsel for the State in connection with the Crime No.137/2018 registered at Police Station Kondagaon, District Kondagaon (C.G.) for the offence punishable under Section 420/34 of IPC.
3. Case of the prosecution, in brief is that in February-March 2017 applicant and co-accused Ashok Taneja and Milan Taneja had taken a loan of Rs. 5 Lakhs for the purpose of business. They had promised to return back the said amount within a year. Thereafter applicant and co-accused had not paid the said amount despite the demands of the complainant.
4. Learned counsel for the applicant submits that applicant is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application. He further submits that there is no antecedents against the

applicant.

6. Looking to the above mentioned facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, the trial will take its own time, this Court is inclined to give the benefit of Section 439 of the Cr.P.C. to the present applicant.
7. Consequently, the bail application filed under Section 439 of the Cr.P.C., is allowed. It is ordered that if the applicant furnishes two solvent sureties each for a sum of Rs. 25,000/- along with one personal bond of Rs. 50,000/- to the satisfaction of the trial Court concerned with the condition that he will not involve himself in any of the crime in future, he be released on bail.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde