NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6414 of 2018

- Arun Kumar Dhidhi S/o Late Amal Narayan Dhidhi Aged About 30 Years R/o Village Bhorig, Police Station Tumgaon, District Mahasamund, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, P.S.G.R. P. Raipur, Civil And Revenue District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

For Applicant : Shri Pushpendra Kumar Patel, Advocate
For Respondent/State : Shri Avinash K.Mishra, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

26/09/2018

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 185/2016 registered at police station GRP, Raipur for the offence punishable under Section 420 IPC.

As per prosecution case, a complaint was lodged by one Jhumman Das Nirmalkar that he had given amount of Rs. 3,00,000/- to the present applicant in the name of providing job to his sons. Further case is that the applicant gave two Cheques bearing Rs. 1,50,000/- to the complainant as guarantee and when he produced the same in the bank on 03.09.14, the same were dishonoured due to insufficient balance in the account and a case under Section 420 IPC was lodged against the applicant. It is stated that, the complaint was lodged after a delay of two years.

Counsel for the applicant submits that the appellant is in jail since 11.06.18 and the offence is triable by Magistrate. He further submits that the trial will take time for final disposal and therefore he may be released on bail.

On the other hand, learned counsel for the State opposes the bail application.

Considering the totality of the facts and circumstances of the case, in particular the nature of allegation against the applicant, this Court is of the opinion that it is a fit case to release the applicant on bail. Accordingly, the application is allowed and the accused/applicant is directed to be released on bail on his furnishing a personal bond of Rs. 20,000/- with one surety for the like sum to the satisfaction of the concerned Magistrate for his appearance before it as and when directed.

Sd/-

Rajani Dubey
Judge

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