

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6871 of 2018**

Rajendra Sahu S/o Late Ankaluram Sahu Aged About 42 Years R/o
Chilhathi Thana Korar, Distt. Uttar Bastar Kanker Chhattisgarh.

---- Applicant

Versus

The State Of Chhattisgarh Through District Magistrate, Distt. Uttar
Bastar Kanker Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Parag Kotecha, Advocate
For the State	:	Shri A.K. Swarnkar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**31/10/2018**

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.22/2018 registered at Police Station Korar, District Uttar Bastar Kanker (C.G.) for the offence punishable under Section 420, 468, 471 of IPC.
3. Case of the prosecution, in brief is that five beneficiaries had given the contract for the construction of houses worth Rs. 5.58 Lakhs to the applicant. He did not completed construction work. He issued a forged notices of the CEO Kanker to the beneficiaries to give him the money.
4. Learned counsel for the applicant submits that he 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 two other criminal cases have been registered out which one under IPC and one under CrPC 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. Looking to the above mentioned facts and circumstances of the case, it is ordered that if the applicant furnishes two solvent sureties for a sum of Rs. 25,000/- each 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