

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7328 of 2018

- Chhannu Lal Lahare, S/o Shri Sevak Ram Lahare, aged about 35 years, R/o Village Chaitra, Police Station Fingeshwar, District- Gariyaband, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through – Station House Officer, Police Station- Kabir Nagar, District- Raipur, (C.G.).

---- Respondent

For Applicant : Shri C.R. Sahu, Advocate.
For Respondent/State : Shri Sangharsh Pandey, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

03/12/2018

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 138/2018, registered at Police Station- Kabir Nagar, District- Raipur, (C.G.) for the offence punishable under Section 420 of Indian Penal Code.
2. As per the prosecution story, on 28.06.2018, a report was lodged by one Kush Patel wherein it has been alleged that in the year 2016, present Applicant obtained two lakh from him and two lakh from one Anil Yadav on the pretext of providing government job for the post of ward boy but the Applicant neither provide them job nor returned their money. On the basis of the said report, offence has been registered against the present Applicant and he has been taken into custody on 09.07.2018.
3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case due

to some previous enmity. There is nothing on record on the basis of which prima facie offence 420 of IPC can be made out against the Applicant. He further submits that charge-sheet has already been filed and the Applicant is in custody since 09.07.2018 and trial will take some time. Therefore, he may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that charge-sheet has already been filed, offence is triable by JMFC, he is in custody since 09.07.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. 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 solvent surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge