

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7627 of 2018**

Durgesh Yadav S/o Shri Dilharan Yadav Aged About 38 Years R/o Village Mochh Police Station And Tahsil Takhatpur, District - Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station - Kawardha, District - Kabirdham, Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh.

---- Respondent

For the Applicant : Shri Dheerendra Pandey, Advocate.
For the Respondent/State : Shri Avinash K. Mishra, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****12.11.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.368 of 2015, registered at Police Station – Kawardha, District – Kabirdham, Chhattisgarh for the offence punishable under Section 420 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 6.8.2018 and has been falsely implicated in this case. In fact it had been a case of money transaction in which the applicant had failed to repay the money borrowed by him. Hence, it is a case of civil nature and it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. According to the prosecution case, the applicant had borrowed Rs.1,00,000/- from the complainant and he had failed to repay the same. Hence, the FIR has been lodged.
6. Considering the material present in the case-diary, I feel inclined to grant regular bail to the applicant in this case.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge