

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7838 of 2018

Rameshwar Chauhan @ Seetaram Chauhan, S/o. Kalluram Chauhan,
Aged About 49 Years, R/o. Village Soniyadih, Marar Mohalla, Thana
Bilaigarh, O.P. Bhatgaon, District Baloda Bazar, Chhattisgarh.

---- Applicant

Versus

Sate Of Chhattisgarh, Through District Magistrate, Police Station- Urga,
District Korba, Chhattisgarh

---- Respondent

For Applicant : Mr. Samir Singh, Advocate

For Respondent : Mr. D.R.Minj, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30.10.2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.89/2018 registered at Police Station- Urga, District Korba (C.G.) for the offence punishable under Section 420 of Indian Penal Code.
2. As per the prosecution case, a report was lodged by Laxmikant that the present applicant showing himself to be an Agriculture Development Officer promised to provide him Tractor on loan and initially obtained an amount of Rs.50,000/- in cash. However, the Tractor having not been given, on enquiry, again an amount of Rs.5000/- was given, thereby, total 55,000/- was given but the Tractor eventually was not sanctioned on loan and the applicant has mis-personified himself; thereby, the offence has been committed.

3. Learned counsel for the applicant submits that the charge sheet has been filed and no further investigation is necessary, it is a monetary transaction in between the parties for which the false report has been made; therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Considering the facts & circumstances of the case, nature of allegation and the fact that charge sheet has been filed and no further investigation is necessary, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge