

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7765 of 2017

- Ajit Kumar Minz S/o Siril Hemara Minz, Aged About 50 Years Caste Uraon, R/o Village Tituvatangar, Police Station And Tahsil Bagicha, District Jashpur Chhattisgarh , Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh The Police Station Sitapur District Surguja Chhattisgarh , Chhattisgarh

---- Respondent

For Applicant	:	Mr. S.C. Verma, Advocate.
For Respondent/State	:	Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

20/02/2018

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. 176/2017, registered at Police Station- Sitapur Road, District – Surguja(C.G.) for the offence punishable under Sections 420, 34, 120-B of the Indian Penal Code (for short 'IPC').
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. Applicant is in jail since 4.11.2017. No case is made out on the basis of the material present in the charge-sheet filed against him. The co-accused persons present in this case have been granted regular bail by the concerned Magistrate under the provisions of Section 167(2) of CrPC. Applicant is a patient of abdominal pain, for which he requires regular treatment, hence, it is prayed that he may be released on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that looking to the serious allegations against this applicant made by the complainant and witnesses in this, he is not entitled for grant of bail.
4. Heard both the parties and perused the case diary.
5. Complainant Vinay Singh Baghel has alleged by lodging FIR that applicant along with two other co-accused persons induced the complainant and others that they can arrange for their employment in Electricity Department by deceit obtained Rs.40,000/-, 80,000/- and 75,000/-. As jobs could not be arranged by the applicants and others and on asking for refund the amount was not returned by the applicant and two others, FIR has been lodged.
6. Considered.
7. As it appears that there is no criminal antecedents of this applicant and he is a local resident of District Jashpur. There is no likelihood of his absconsion during the pendency of trial against him and the trial of the case is likely to take some time, I am of this view that this is a fit case where applicant should be benefited with grant of bail during the pendency of trial against him.
8. Accordingly, the first bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his 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 their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge