

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9134 of 2018**

- Rajendra Baraskar S/o Shri Sada Ram Baraslar Aged About 42 Years R/o Satnam Line Near Shiv Temple ,house No. 250 ,ward,n. 03 ,maharani Laxmibai Ward Sarni, Thana Sarani ,district Baitul Madhya Pradesh, District : Betul, Madhya Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Kurud District Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh

---- Non-applicant

For Applicant : Mr. R.S.Patel, Advocate.
For Non-applicant : Mr. S. Gupta, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

11.12.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 78/2018 registered at Police Station – Kurud District Dhamtari (C.G.) for the offence punishable under Section 420 of the Indian Penal Code.
3. Case of the prosecution, in brief is that complainant Pradip Kumar Sahu is resident of village Nawagaon, on 07.04.2017 he received mobile call from the mobile number 7089536535 that he has won Rs. 2,85,000/- and one Pulsar Bike, thus he shall deposit Rs. 42,000/- in the bank account of Jeevan Singh and thereafter he again received message that he shall deposit Rs. 16,600/- in the bank account of applicant. Complainant deposited total amount of Rs. 59000/-.
4. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been 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, however, he submits that there is no antecedent against the applicant.
6. As per the compromise petition, Annexure A2 which is part of the bail petition brother of the applicant and complainant arrived at compromise. Complainant has received Rs. 59,000/- from the brother of the applicant and now complainant does not want any legal action against the applicant.
7. Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, It is directed that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Trial Court with the condition that he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE