

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 503 of 2019

- Nijamuddin Kha S/o Late Bishmillah Kha Aged About 60 Years R/o Golaghat Ramnagar, Bhati, Varanasi (Wrongly Mentioned As Baranasi) Uttar Pradesh., District : Varanasi, Uttar Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Baloda Bazar, District Baloda Bazar- Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Non-applicant

For Applicant	: Mr. Anil Gulati, Advocate.
For Non-applicant	: Mr. SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

07.02.2019

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. 778/2018 registered at Police Station – Baloda Bazar, District Baloda Bazar- Bhatapara (C.G.) for the offence punishable under Section 420 of the Indian Penal Code.
3. Case of the prosecution, in brief is that on 27/12/2018 applicant had placed two pairs of earrings in the jewellery shop of Chakrapani Shukla and Company at Baloda Bazar stating that they are made up of gold and received 25000 rupees thereafter he again reached in that shop for selling one locket, one pair fancy Latkan stating that they are made up of gold. On testing of the aforesaid articles it was found that they are not gold.
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. 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 two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Trial Court with the condition that he will not involve in any crime in future, 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.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE