

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 519 of 2019**

Lokesh Hirwani (Sahu) S/o Shri Biselal Sahu Aged About 30 Years R/o
In Front Of Naya Sabji Mandi , Nayapara Ward No. 01, Durg District
Durg Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The District Magistrate, Durg District
Durg Chhattisgarh

---- Respondent

For applicant	Mr. Maneesh Sharma with Shri Pragalbha Sharma, Adv.
For Respondent	Ms. Sangeeta Mishra, Govt. Adv.
For complainant	Mr. Praveen Dhurandhar, Adv.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****7-2-2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. The applicant has been arrested in connection with Crime No. 1066/2018 registered in police station Durg Kotwali, Distt. Durg (CG) for offence punishable under Section 420 and 201, IPC.
3. Perused the case diary.
4. Prosecution story in brief is that in the year 2015-16 complainant Smt. Purnima Sahu and the applicant entered into an agreement for construction of a house on the land of the said complainant. Construction was to be done by the applicant. The applicant obtained pass book, Rin Pustika from the complainant. He also obtained from her blank cheque, blank stamp papers. The constructed house along with land was sold by the registered sale deed by the complainant to one Anurag Shrivastava. The buyer Anurag Shrivastava had given a cheque of Rs. 24 lacs to the complainant. The complainant had given the cheque to the applicant for depositing the same in her account. The applicant deposited the said cheque in her account, subsequently he transferred the said amount from her account to his bank account.
5. Counsel for the applicant argued that the applicant is innocent and falsely implicated. He further argued that he is in hail since 6-12-2018. There is civil dispute between him and the complainant. The applicant

had also given an application to S.P., Durg against the complainant and some other persons. All documents are in favour of the applicant. The complainant's case is not supported by documents. Hence he may be released on bail.

6. On the other hand, the State Counsel opposed the bail application.
7. Looking to the facts and circumstances of the case, looking to the huge amount of Rs. 24 lacs involved in the matter, this Court is not inclined to grant bail to the applicant.
8. Consequently, the MCRC is dismissed.

Sd/-
(Sharad Kumar Gupta)
Judge