NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 359 of 2019

Fagu Ram S/o Kartik Ram Aged About 32 Years Caste Chikwa, R/o Village- Chandagarh, Bhaisamunda, Police Station And Tahsil Pathalgaon, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh.

---- **Applicant**

Versus

State Of Chhattisgarh Through Police Station Pathalgaon, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh.

---- **Respondent**

For the Applicant	:	Shri A.K. Yadav, Advocate
For the State	:	Ms. Sangeeta Mishra, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

01/02/2019

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.

2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.287/2018 registered at Police Station Pathalgaon, District Jashpur (C.G.) for the offence punishable under Section 420 of IPC and Section 66 (D) of IT Act.

3. Case of the prosecution, in brief is that applicant had told the complainants Banshidhar Yadav, Roopsingh and Smt. Kunti Devi that he is a representative of NGO. He will give them to free cow and little chick. They will runs poultry farm. He will purchased the milk and big chick from them. He obtained thumb impression in a machine, thereafter it was found that Rs. 2800/- from the account of complainant Banshidhar, Rs.10,000/- from the account of complainant Roopsingh and Rs. 8500/- from the account of complainant Kunti Devi have been withdrawn.

4. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he shall be released on bail.

5. On the other hand, counsel for the State opposes the bail application. He further submits that one criminal case under Section 107 and 116 of CrPC has been registered against the applicant.

6. Looking to the 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 Court with the condition that he shall 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

Kamde