

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 571 of 2019

- Naveen Kumar Patel S/o Shrawan Kumar Patel Aged About 35 Years
R/o Plot No. 16, Geetanjali Society, Godawari Road, Gudhiyari, Raipur
Tahsil And District Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police
Station Gudhiyari, Raipur District Raipur Chhattisgarh

---- Respondent

For Applicant : Shri Aditya Khare, Advocate.
For Respondent/State : Shri Alok Nigam, GA.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

14/02/2019

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with Crime No. 226/2018, registered at Police Station – Gudhiyari, District- Raipur (C.G.) for the offence punishable under Section 420 of the IPC.
2. As per the prosecution story, on 23.07.2018, one Amit Kumar made a report in police station wherein it has been alleged that present applicant has obtained Rs. 26,000/- from him as processing fees for providing loan from the Oriental Plus Finshake consultant Pvt. Ltd. Gajipur and after obtaining the said amount, the applicant deposited Rs. 17,000/- in the said company and Rs. 9,000/- in his personal account. When the loan was not sanctioned within one month as assured by the applicant, then the complainant demanded for his money back, on which, the applicant refused to refund the amount. On the basis of above, offence has been registered against the present

applicant and he has been arrested on 24.07.2018.

3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that the Applicant has no criminal antecedent, he is in custody since 24.07.2018, charge-sheet has already been filed and trial will take some time. Therefore, he may be released on bail.
4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicant has no criminal antecedent, he is in custody since 24.07.2018, charge-sheet has already been filed and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the Applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge