

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 818 of 2019

- Hemant Kumar Dewangan S/o Late Baishakhu Ram Dewangan, Aged About 42 Years R/o Sirgitti, Bilaspur, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station Supela, District Durg, Chhattisgarh.

---- Respondent

For Applicant : Shri Ashish Gupta, Advocate.
For Respondent/State : Shri Amit Singh, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

19/02/2019

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. 806/2018, registered at Police Station – Supela, District - Durg, (C.G.) for the offence punishable under Section 420 of the IPC.
2. As per the prosecution story, Complainant Sanjay Nishad lodged a report against the present Applicant wherein it has been alleged that the Applicant had taken total Rs. 2,90,000/- from him and from one other person namely Milesh Ramteke in the name of providing job to them but the Applicant has neither provided them any job nor returned their money. On the basis of the said, offence has been registered against the present Applicant. He has been taken into custody on 14.09.2018.
3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case due to some dispute. He further states that there is no any documentary

evidence against the present Applicant which shows that the Applicant has taken any money from the Complainant. He also submits that the charge-sheet has been filed, Applicant is in custody since 14.09.2018 and trial is likely to 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.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that charge-sheet has been filed, Applicant is in custody since 14.09.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him 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 concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge