NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 1435 of 2019

- Heera Lal Sahu S/o Jagdeesh Sahu Aged About 40 Years R/o Village Dhaurabhata Hirri, P. S. Hirri, District Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The (Station House Officer) S. H. O. Sarkanda, District Bilaspur Chhattisgarh

---- Respondent

For Applicant : Mr. Amit Kumar, Advocate.
For Respondent/State : Mr. Amit Singh, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

15/05/2019

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. 456/2016, registered at Police Station Sarkanda, District Bilaspur (C.G.) for the offence punishable under Section 420 & 120 B of the IPC.

2. As per prosecution story, allegations against the applicant is that he lured the complainant namely Manmohan Ratre that he would get him agricultural loan sanctioned in low interest rate and thereafter filling the form of loan in the name of complainant, got the loan sanctioned. At that time, the bank manager/co-accused caused the complainant to put signature on the cheque telling that the cheque was required to be deposited as security and the co-accused/Branch Manager kept the cheque with him. Thereafter, the applicant and the co-accused misused that cheque and kept the amount. The applicant is in custody since 21.12.2018.

3. Learned counsel appearing on behalf of the applicant submits that the

applicant is innocent and has been falsely implicated in the present case due to some dispute between them. He further submits that there is no evidence available on record on the basis of which it can be said that the applicant is involved in the crime in question, he is in custody since 21-12-2018, charge-sheet has already been filed and trial is likely to take some time. Therefore, the applicant may be released on bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.

5. I have heard learned Counsel for both the parties.

6. Considering the facts and circumstances of the case and evidence collected by the prosecution, further considering the fact that the applicant is in custody since 21-12-2018, 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 applicants shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one local solvent surety for the like sum to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge

Shubham