

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 2447 of 2019

- Vishal Dubey S/o Uttam Dubey Aged About 21 Years R/o Kalika Nagar, Tifra, P.S.- Sirgitti, Tahsil- Bilaspur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Polie Station- Kotwali Ambikapur, District- Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Non-applicant

For Applicant : Mr. A.K. Yadav, Advocate.

For Non-applicant : Ms. S. Mishra, Government Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

25.04.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 79/2019 registered at Police Station – Kotwali Ambikapur District – Surguja (C.G.) for the offence punishable under Sections 420/34 of the Indian Penal Code.
3. Case of the prosecution, in brief is that complainant and applicant were friends. He had received some cash in different occasions from her. On saying of him she had also deposited some cash in accounts of his friends. He had received total amount of Rs. 18,26,000/- from her. Now, neither he returned back the amount to complainant nor did he marry her.
4. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no antecedent against the applicant.
6. Looking to these 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 Trial Court with the condition that he will 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

kishore