

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2343 of 2019

- Ratan Lal Rajak S/o Shri Anand aged about 38 years, R/o Village Dhavaipur, Police Station Katghora, District Korba (C.G.)

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station: Dipka, District Korba (C.G.)

---- Respondent

For Applicant : Shri Nitesh Shrivastava, Advocate.
For Respondent/State : Shri KK Dewangan, Dy. GA.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

25/04/2019

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. 146/2018, registered at Police Station – Dipka, District- Korba (C.G.) for the offence punishable under Section 420, 467, 468, 471 & 34 of the IPC.
2. As per the prosecution story, present applicant along with co-accused persons gave inducement to the complainant and others, that in case they purchase their lands, which are proposed to be acquired by the State Government for the purpose of opening coal mines, purchaser of said land will be benefited with employment in SECL. Getting induced, the complainant and others entered into an agreement for purchase and have paid consideration to the accused persons. It is also alleged that sale deed has not been executed till date nor money has refunded. The applicant is in custody since 31.07.2018.
3. Learned Counsel appearing on behalf of the Applicant submits that the

incident is of the year 2013-14 FIR has lodged after 4-5 years. He further submits that, on the basis of evidence available on record prima facie no offence can be made out against the present applicant, the applicant is in custody since 31.07.2018 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 is in custody since 31.07.2018 and trial is 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. 25,000/- 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