

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2648 of 2019

- Ashish Yadav S/o Vansh Bahadur Aged About 40 Years R/o Housing Board Colony, Bloc No. 06, Quarter No. 08, Bhilai Police Station Jamul, Bhilai Tahsil And District- Durg, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Jamul, Civil And Revenue District- Durg, Chhattisgarh.

---- Respondent

For Applicant	: Shri Purnendra Khichariya, Advocate
For Respondent/State	: Ms.Sangita Mishra, GA

Hon'ble Shri Justice Sanjay K.Agrawal

Order On Board

20/05/2019

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 522/2018 registered at Police Station Jasmul, District Durg for the offence punishable under Section 420 of the Indian Penal Code.
2. Case of the prosecution in brief is that the accused/applicant cheated and obtained a sum of Rs.9,07,000/- from three complainants in the name of providing jobs and thereby committed the aforesaid offence.
3. Learned counsel appearing for the applicant would submit

that the applicant is innocent and he has been falsely implicated in the crime in question and he has not committed the offence. He submits that the amount is said to have been taken on 3.10.2012 whereas FIR was lodged on 01.11.2018. He submits that the charge sheet has already been filed and the applicant is in jail since 14.12.2018, therefore, the applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.

5. Taking into consideration the nature and gravity of the offence and further considering the fact that the offence has committed in the month of August 2012 and the delay in lodging FIR; applicant is in detention since 14.12.2018 and the charge sheet has been filed; and the trial is likely to take sometime for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

6. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial court on each and every date given to him by the said court.

Certified copy as per rules.

Sd/-

(Sanjay K.Agrawal)
Vacation Judge