

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3210 of 2019**

Rahul Agrawal S/o Shri Pawan Agrawal Aged About 34 Years R/o 221 Parthivi Pacific, Tatibandh Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Civil Line Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh.

---- Respondent

For the Applicant : Shri Harsh Wardhan Parganiha,
Advocate.

For the Respondent/State : Shri Subhash Yadav, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****16.07.2019**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.189 of 2019, registered at Police Station – Civil Lines, Raipur, District – Raipur, Chhattisgarh for the offence punishable under Sections 420, 467, 468 and 471 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 21.4.2019 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. The applicant had bonafidely received back the FDR from the department because the work that was assigned to the

applicant by Public Works Department was stopped. Thereafter, because of some misconception, FIR has been lodged. After completion of investigation, the charge-sheet has been filed. Hence, for these reasons, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that there is evidence that this applicant has committed the offence of cheating and forgery. Hence, the applicant is not entitled for grant of regular bail.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, this applicant had submitted one FDR of Rs.8,02,800/- as security money for the work order he has received from PWD. When the said FDR was sent to bank for verification, it was reported by the bank that the said FDR is scanned copy and the original was en-cashed by the applicant.

6. Considering the submissions and the contents of the case-diary and also considering the fact that the case is now before the trial Court, the trial against the applicant is likely to take sometime for its final disposal, I feel inclined to grant bail to the applicant in this case.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge