

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3579 of 2019

1. Vinay @ Arush S/o Shri Bablu Gharami Aged About 25 Years R/o House No. 64, Village Matoli, Police Station Pakhanjur , District Kanker Chhattisgarh.
2. Ku. Anamika Dhruv D/o Late Rupchand Dhruv Aged About 24 Years R/o House No. 19, Tahsil Colony, Police Station Pakhanjur , District Kanker Chhattisgarh., District : Kanker, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Telibandha, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

For Applicants	:	Shri N.K. Chatterjee, Advocate
For State	:	Shri A.N. Bhakta, Dy.A.G.

S.B. Hon'ble Mrs. Justice Rajani Dubey

Order On Board

27/05/2019

Heard.

1. The applicants have moved this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No.196/2019 registered at Police Station- Telibandha, District- Raipur (CG) for the offence punishable under Section 420/34 IPC.
2. Case of the prosecution, in brief, is that the applicants committed the act of cheating by selling out fake gold to the complainant in the sum of Rs.12 lakh and thereby committed the offence alleged.
3. Learned counsel for the applicants submits that the applicants have not committed any offence. They have been falsely implicated in the case even though no incriminating material was found against them. The applicants are in jail since 11.4.2019, therefore, under these circumstances, they may be enlarged on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. Taking into consideration the submissions made by learned counsel for the parties, considering the nature of allegation and further considering the material available in the case diary, I am of the opinion that present is the fit case, in which, the applicants should be enlarged on regular bail.
6. Accordingly, the application is allowed. It is directed that on furnishing a personal bond in the sum of Rs.50,000/- each with one surety in the like sum to the satisfaction of the concerned Court for their appearance as and when directed, the applicants shall be released on bail, subject to following conditions:-

(i) That, the accused/applicants shall make themselves available for interrogation before the concerned Investigating Officer as and when required and the accused/applicants shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer.

(ii) That, the accused/applicants shall not act in any manner, which will be prejudicial to fair and expeditious trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Vacation Judge