

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3684 of 2019

- Shyam Sundar Agrawal @ Shyam S/o Ramnarayan Agrawal, Aged About 31 Years, R/o Near Shiv Mandir, Mangal Bazar, Gudhiyari Raipur, Tahsil and District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Gudhiyari, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

----Non-applicant

For Applicant – Shri Pushpendra Kumar Patel, Advocate.

For Non-applicant/State – Shri Devendra Pratap Singh, Deputy Advocate General.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

14-08-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 20-04-2019 in connection with Crime No.157/2019 registered at P.S. - Gudhiyari, District Raipur, Chhattisgarh for the offence under Section 420 of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 20-04-2019. No case is made out. In fact, the applicant has borrowed some money from complainant which he was unable to return, therefore, the false FIR has been registered against him. The applicant is ready to repay the amount borrowed by him to the complainant. Therefore, it is prayed that the applicant may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that clear case of cheating is made out against the applicant. Therefore, the application may be rejected.

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

6. According to the prosecution case, The applicant induced the complainant that he can use his influence to get her daughter appointed in Government department, because of which he received Rs.4,50,000/- as illegal gratification. Hence, this case.

7. Considering that the charge sheet has been filed, the case is now pending for trial and there is no criminal antecedent of the applicant, further there is likelihood of delay in conclusion of the trial, therefore, I feel inclined to allow this application.

8. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the 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 Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge