

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4591 of 2019**

Bihari Lal Sinha @ Santosh Sinha, S/o Shri Tulsi Ram Sinha, Aged About 20 Years, R/o Village- Kohangatola, Police Station And District- Balod, Chhattisgarh

---- Applicant**Versus**

State Of Chhattisgarh, Through Station House Officer, Police Station Daundi Lohara, District : Balod, Chhattisgarh

---- Respondent

For Applicant.	:	Shri Amit Kumar Sahu, Advocate.
For Respondent/State	:	Shri Akhtar Hussain, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****07/08/2019**

1. The applicant has filed this *First bail application* under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.108/2019 registered at Police Station : Daundi Lohara, District - Balod (C.G.) for the offence punishable under Section 420 of the IPC.
2. The prosecution story in brief is that the present applicant visit to the nephew of the complainant for providing loan in the name of his nephew and also asked him to manage the guarantor for the said loan. On the basis of request made by the applicant, the nephew of the complainant visited the Manager of Shriram Finance and taken loan of rupees three lakhs in the name of nephew of the complainant by providing

documents in his name. Thereafter, the applicant has taken the sum of rupees two lakhs with him and given rupees one lakh to the nephew of the complainant, received monthly installment of Rs.5,500/- from the nephew of the complainant. Thereafter, the agent of the finance company came to the nephew of the complainant and informed that the amount of rupees three lakhs has been granted in his name and no installment has been received till date. Based on this the FIR has been lodged against the applicant and investigation is going on.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He further submitted that the applicant is in custody since 26.06.2019, charge-sheet has not been filed yet, and trial will likely to take some time, therefore, he may be released on bail.
4. On the other hand, State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case and further considering the fact applicant is in custody since 26.06.2019, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the 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

surety for the like amount to the satisfaction of the Trial Court for his appearance before the Trial Court as and when directed.

Sd/-
(Rajani Dubey)
Judge