

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4696 of 2019**

Banarasi Sahu S/o Chhedilal Aged About 38 Years R/o Khatwabadar,
Police Station- Pasta, District- Balrampur- Ramanujganj,
Chhattisgarh., District : Balrampur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station- Pasta, District-
Balrampur- Ramanujganj, Chhattisgarh., District : Balrampur,
Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Sunil Tripathi, Advocate
For the State	:	Shri Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**14/08/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.44/2019 registered at Police Station Pasta, District Balrampur (C.G.) for the offence punishable under Sections 420, 34 of IPC.
3. Case of the prosecution, in brief is that the name of complainant is Dodibai. On 11/06/2019 applicant and co-accused Jawahar Yadav took her Balrampur Central Bank and withdrawn Rs.1 Lakh from her account. They gave only Rs.5000/- to complainant Dodibai.
4. Counsel for the applicant submits that applicant is a wealthy person. He had gone to Central Bank to only identify the said complainant. FIR has lodged after 20 days of the incident. Enmity was present between him and Shivnath. Shiva is the servant of Shivnath. Shiva is the son of said complainant. He

further submitted that he has innocent and falsely implicated in the present case, therefore, he may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application and submitted that two other criminal case under Section 107/16 of CrPC.
6. Looking to the above mentioned facts and circumstances of the case, looking to the material available on record against the applicant, looking to the alleged withdrawn amount of Rs.1 Lakh, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is ordered that if the applicant furnishes two solvent sureties for a sum of Rs. 25,000/- each along with personal bond of Rs. 50,000/- to the satisfaction of the Court concerned with the condition that he will not involve himself in such type of crime in future, he be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge