

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4916 of 2019

- Suraj Jatwar S/o Shri Asharam Jatwar, Aged About 29 Years, R/o Village Daubandhan, Police Station and Tahsil Bailaigarh, District Baloda Bajar-Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh, through the District Magistrate, Gudhiyari, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Non-applicant

For Applicant – Shri Hemant Kumar Patel, Advocate.

For Non-applicant/State – Shri Ghanshyam Patel, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

16-09-2019

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 06-04-2019 in connection with Crime No.132/2019 registered by P.S. - Gudiyari, 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 06-04-2019. The case has been investigated and charge sheet has been filed. This applicant has not committed any offence. In fact it had been a simple case of money transaction. Therefore, it is prayed that the application may be allowed.

3. Learned counsel for the State/non-applicant opposes the application.

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

5. According to the prosecution case, it is alleged that this applicant had on the pretext that he will use his influence to get the complainant Ritu Kurre appointed as Assistant Computer Operator in open university obtained

Rs.4,50,000/- and when the complainant could not get any appointment he has not made any refund of the same.

6. For the reason that the case is now pending for trial and there is no requirement of continued detention in this case and also that the applicant does not have any criminal antecedent, therefore, I feel inclined to allow this application.

7. 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.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge