

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5329 of 2019**

- Tuna Singh Alias Jhuna Singh S/o Mohan Singh Aged About 21 Years, R/o Village Mudkatti, Police Station Raibaniya, District-Balasore Odisha.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : The Police Station Lalbagh District-Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Anuroop Panda on behalf of Mr. S. S. Baghel Adv.
For Respondent/State	:	Mr. Anurag Verma, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****05.11.2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 49/2019 registered at Police Station Lalbagh, District-Rajnandgaon (C.G.) for the offence punishable under Sections 419, 420, 34 of IPC and 66 (D) of I.T. Act.
2. The prosecution story, in brief is that, complainant Gannu Ram Sahu made a written complaint in the Police Station that he had received a phone call in his mobile No. 9981042571 from one Chandan Dada impersonating himself as an employee of Airtel Company, the said accused defrauded the complainant that he had won a lottery of Rs. 2,80,000/- and further convinced the complainant to deposit Rs. 1,500/- in the account of the present applicant and Rs.

82,000/- in the account of co-accused Charan Soren and Narayan Singh. Based on this, offence has been registered. Present applicant has been taken into custody on 18.07.2019.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant has no previous criminal antecedent. The applicant is in jail since 18.07.2019, there is no likelihood of his case being decided in near future, therefore, the present appellant may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the applicant is in jail since 18.07.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge