

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5398 of 2019**

- Shankar Lal Rajak S/o Budhdev Rajak, aged about 45 years, R/o Hukra, P.S. - Katghora, District Korba (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station – Kawardha, District Kabirdham (C.G.)

---- Respondent

For Applicant	:	Shri Vivek Tripathi, Advocate
For Respondent	:	Ms. Akshara Amit, P.L.

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****16/10/2019**

1. The applicant has preferred 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.131/2018, registered at Police Station – Kawardha, District Kabirdham (C.G.) for the offence punishable under Section 420 of I.P.C.
2. The prosecution story, in brief, is that on 16.03.2018 one Dhanesh Kaushik lodged a report alleging therein that four years ago, the applicant had taken Rs.3,25,000/- from the complainant on the pretext of providing job in SECL but he neither provided job nor returned the money. It is further alleged that the applicant has also taken money from other persons of the village for the said purpose and thereby committed cheating. On the basis of said report, offence has

been registered. Present applicant has been taken into custody on 14.08.2018.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that there is no direct evidence with regard to the alleged transaction so as to connect him with the crime in question. He also submits that the applicant is in custody since 14.08.2018, charge sheet has been filed, out of 28 witnesses only 13 witnesses have been examined and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.
4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the facts and circumstances of the case, the quality of evidence and further considering the fact that the applicant is in custody since 14.08.2018 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.20,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Sd/-

(Arvind Singh Chandel)
Judge