

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5640 of 2019**

Umendra Verma S/o Shivcharan Verma, aged about 59 years R/o Village Tundri, Police Station Bailaigarh, District Baloda-Bazar Bhatapara (C.G.).

--- Applicant

Versus

State of Chhattisgarh Police Station Bilaigarh, District Baloda Bazar Bhatapara (C.G.)

---- Respondent

For Applicant: Mr. H.B. Agrawal, Senior Adv. With Ms. Priti Yadav, Advocate
For Respondent: Mr. Anand Verma, Dy. Govt. Adv.

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

18/10/2019

1. The Applicant has preferred this First Bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 209/2019 registered at Police Station Bilaigarh, District Baloda Bazar- Bhatapara (C.G.) for the offence punishable under Section 420/34 of the IPC.
2. In this case there are total five accused persons. On 27/06/2019, one Kiran Sahu lodged a written report alleging therein that the Applicant along with co-accused persons, on the false pretext of cultivating alovera, had taken villagers to Bank and got sanctioned money on the name of villagers, which has been kept by the Applicant and co-accused persons after having agreement with the villagers. It is alleged that they had taken the money of around 200 investors, which is around 7-8 crores and had absconded. On the basis of the said report, offence has been registered.

3. Learned counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated. In FIR the name of the Applicant is not mentioned. The allegation is made against the wife of the Applicant i.e. Leela Devi who has absconded. There is nothing on record on the basis of which it can be said that the Applicant had contacted with any of the investor and had taken money from them. The Applicant is in jail since 30/06/2019 and trial will take time, therefore, the Applicant may be released on bail.
4. Counsel appearing on behalf of the State also opposes the bail application.
5. I have heard counsel for both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering that the name of the Applicant is not mentioned in the FIR, he is in custody since 30/06/2019 and trial will likely to take time, without further commenting on merit of the case, I am inclined to release the Applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his furnishing a personal bond of Rs. 20,000/- with one 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