

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5531 of 2019**

- Hirau Ram Barman S/o Ghasia Barman, aged about 55 years, R/o village Paharia, Thana Balouda, District Janjgir-Champa (C.G.) **(Name wrongly mentioned in order sheet)**

---- Applicant**Versus**

- State of Chhattisgarh Through : Police Station Urga, District Korba (C.G.)

---- Respondent

For Applicant	:	Shri Samir Singh, Advocate
For Respondent	:	Shri Wasim Miyan, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****05/11/2019**

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.151/2018, registered at Police Station - Urga, District Korba (C.G.) for the offence punishable under Section 420 of IPC.
2. The prosecution story, in brief, is that the complainant lodged a written report alleging therein that she purchased the from the applicant in the year 2015, and in mutation process she came to know that the said land had already been sold by the applicant to another person and thereby committed cheating. Based on this, offence has been registered. Present applicant has been taken into custody on 27.06.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the present applicant is in custody since

27.06.2019, charge sheet has been filed, the case is triable by Judicial Magistrate First Class 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, and further considering the fact that the dispute is of civil nature, the applicant is in custody since 27.06.2019, 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.25,000/- 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/-

(Rajani Dubey)
Judge