

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5546 of 2019**

- Sumesh Shriwas son of late Ramesh Shriwas, aged about 27 years, resident of Quarter No.16/B, Road 5, Sector – 4, Bhilai Police Station – Bhilai Bhatthi, Tahsil & District Durg (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station – Bhilai Bhatthi, District Durg (C.G.)

---- Respondent

For Applicant	:	Shri B.P. Singh, Advocate
For Respondent	:	Shri Anurag Verma, 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.89/2019, registered at Police Station – Bhilai Bhatthi, District Durg (C.G.) for the offence punishable under Sections 420/34 of IPC.
2. The prosecution story, in brief, is that the complainant lodged a written report before Superintendent of Police, Durg alleging therein that co-accused Nikhil Chandrakar and present applicant Sumesh Shriwas obtained Rs.26,21,500/- in different installments from the complainant for providing Govt. job and they have also given fabricated appointment order and service book to the complainant. Based on this, offence has been registered. Present applicant has been taken into custody on 21.05.2019.
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 21.05.2019, the case is triable by Judicial Magistrate First Class, charge sheet has been filed 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 applicant is in custody since 21.05.2019, the case is triable by Judicial Magistrate First Class 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