

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5564 of 2019**

- Shankar Lal Rajak S/o Budh Dev Prasad Rajak Aged About 48 Years, R/o Village Hunkra, P.S.- Katghora, Tahsil Katghora, District- Korba, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Station House Officer, Police Station- Katghora, District- Korba, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Awadh Tripathi, Adv.
For Respondent/State	: Mr. B.L. Sahu, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****11.11.2019**

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. 225/2018 registered at Police Station Katghora, District-Korba (C.G.) for the offence punishable under Section 420 of IPC.
2. The prosecution story, in brief is that, on 13.05.2018 the complainants Abhishek Timothy and Ankit Garg have lodged a report that the present applicant has given assurance to provide job to the complainant Abhishek Timothy in the post of clerk in the Government department and taken a sum of Rs. 4,50,000/- from the complainant and assured the complainant Ankit Garg who has graduate in B.E. to provide job to him in the post of Assistant Engineer in P.W.D. and taken a sum of Rs. 6,50,000/- from the Ankit Garg but the applicant unable to provide the job to them and when the complainants have demanded their money the applicant has not return the same. Based on this offence has been registered against the present applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. The applicant is in jail since 18.09.2018, there is no likelihood of his case being decided in near future, therefore, the present applicant 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, detention period of applicant and further considering the facts that the offence is triable by Judicial Magistrate First Class, the applicant is in jail since 18.09.2018 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. 25,000/- 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**