

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5850 of 2019

- Ashwani Pampattiwar S/o Late Shri Ajay Pampattiwar Aged About 19 Years R/o Madhuban Nagar, Dhanora Road Borshi, Police Station Padnabhpur, District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Mana Camp, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

 For Applicant : Shri Pushkar Sinha, Advocate
 For Respondent/State : Shri Anurag Verma, P.L.

Hon'ble Smt.Justice Rajani Dubey
Order On Board

18.11.2019

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.313/2018, registered at Police Station Mana Camp, District Raipur(CG) for the offence punishable under Section 420 of the IPC.
3. As per the case of prosecution, the present applicant taken the mobile phone of the complainant and fraudulently obtained total amount of Rs.46,303/- through the mobile app Paytm from the Bank Account of the complainant.
4. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime. He further submits that charge sheet has been filed and the offence is triable by Magistrate and the applicant is in jail since 14.7.2019 and trial

may take some time for its final disposal therefore, the applicant may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and the offence is triable by Magistrate, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE