

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5801 of 2019

- Khomlal Sahu S/o - Mangal Sahu Aged About 29 Years R/o - Village - Asoga, P.S. Ranitarai, Tehsil Patan, District-Durg Chhattisgarh Present R/o Kurud Tehsil Kurud District Dhamtari Chhattisgarh, District : Dhamtari, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate District Durg Chhattisgarh, District : Durg, Chhattisgarh

---- Respondent

 For Applicant : Shri A.C.Sahu, Advocate
 For Respondent/State : Ms. Reena Singh, Panel Lawyer

Hon'ble Smt.Justice Rajani Dubey
Order On Board

11.11.2019

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.128/2019, registered at Police Station Patan, District Durg (CG) for the offence punishable under Section 420 of the IPC.
3. As per the case of prosecution, the applicant obtained Rs.7,00,000/- from the complainant in the name of providing job to his daughter and for that he prepared an agreement of borrowing money and promised to return by 15.10.2018, but the did not provide job nor returned that amount.
4. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the

case. He submits that there is money dispute between the parties and charge sheet has been filed and the offence is triable by Magistrate. He submits that the applicant is in jail since 25.7.2019 and trial will take some time, 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, particularly considering the nature of allegations against the applicant and the offence is triable by Magistrate and trial may take some time, 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 of the like amount 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