

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5855 of 2019**

- Surajlal Yadav, aged about 31 years, son of Shri Jatiram Yadav, resident of Ranidahra, P.S. Singhanpuri Jangal, Tahsil S. Lohara, District Kabeerdham (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Station House Officer, Police Station Singhanpuri Jangal, District Kabeerdham (C.G.)

---- Respondent

For Applicant	:	Shri Malay Bhaduri, Advocate on behalf of H.S. Patel, Advocate
For Respondent	:	Ms. Reena Singh, P.L.

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

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.31/2019, registered at Police Station – Singhanpuri Jangal, District Kabeerdham (C.G.) for the offence punishable under Section 420 of IPC.
2. The allegation against the present applicant is that he along with co-accused Mahendra Das represented themselves as agent of Hero Honda Company and obtained Rs.80,000/- - 80,000/- from complainants on the pretext that the amount would be enhanced in 10-13 days and they would get a motorcycle as well. But after some time, neither the amount was returned nor motorcycle was given. On being demanded, the applicant and co-accused issued a check of respective amount which was dishonoured on account of insufficient fund. Based on this report, offence has been registered.

Present applicant has been taken into custody on 13.08.2019.

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 main accused is Mahendra Nath and the present applicant only accompanied him. He also submits that the applicant is in custody since 13.08.2019, 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 applicant is in custody since 13.08.2019, the offence 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.50,000/- 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