

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6378 of 2019**

- Shiv Kumar Wari S/o Tangsant Wari Aged About 42 Years, R/o Road A.V.D. Quarter No. - 3 / B Zone - 2, Khursipar Bhilai P.S. Bhilai, District Durg, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Station House - Civil Lines, Raipur, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Rahil Arun Kochar, Adv.
For Respondent/State	: Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****07.11.2019**

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. 356/2019 registered at Police Station Civil line, District-Raipur (C.G.) for the offence punishable under Sections 419 and 420/34 of IPC.
2. The prosecution story, in brief is that, a report was lodged by complainant Jakir Khan that the applicant and co-accused executed Ikrarnama of vehicle Tata Hexa bearing registration No. CG-04-MB-0777 on the name of ex-minister Kawasi Lakhma, and used his name to fraudulent. 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. He further submits that the present applicant is suffering from various ailments including cardiac disease and Testicle disorders and is under medical treatment. The applicant is in jail since

05.06.2019, 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, and further considering the facts that the present applicant is suffering from various ailments including cardiac disease and Testicle disorders and is under medical treatment, the applicant is in jail since 05.06.2019 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. 50,000/- 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**