

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6008 of 2019**

- Popat Mihir, S/o Shri Manoj Bhai, aged about 27 years, R/o B-01, T.F. - 07, Shivalaya Society, in front of Ishwar Amrit Society Vejalpur, District Ahmedabad (Gujarat)

---- Applicant**Versus**

- State of Chhattisgarh Through : District Magistrate, Raipur, District Raipur (C.G.)

---- Respondent

For Applicant	:	Shri Maneesh Sharma, Advocate
For Respondent	:	Shri Sameer Sharma, Dy. G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****14/11/2019**

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.69/2019, registered at Police Station – City Kotwali, Raipur (C.G.) for the offence punishable under Sections 420, 120B r/w 34 IPC.
2. The prosecution story, in brief, is that the complainant lodged a written report in police station alleging therein that the present applicant along with other co-accused, after hatching conspiracy, fraudulently obtained Rs.52,40,000/- by showing a piece of government land and have sold the same. Based on this report, offence has been registered. Present applicant has been taken into custody on 11.08.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that there is no allegation against the present

applicant that he mis-represented the complainant. He also submits that the main accused Vikas Kumar Rakundla and other co-accused namely Prashant Choubey and Kishor Rakundla have already been granted anticipatory bail by this Court vide order dated 11.07.2019, 17.05.2019 and 19.03.2019 in MCRC(A) No.936/2019, 693/2019 and 387/2019 respectively. It is next submitted that the applicant is in custody since 11.08.2019 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 totality of the facts and circumstances of the case, quality of evidence and further considering the fact that main accused has already been granted anticipatory bail by this Court, the applicant is in custody since 11.08.2019 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.25,000/- 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