

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6114 of 2019

- Doman Sahu S/o - Madandas Sahu Aged About 27 Years (Wrongly Mentioned As Domendra Sahu) R/o - Village Mohar, Ward No. 49, Police Station Basantpur, District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate Durg District Durg Chhattisgarh

---- Respondent

 For Applicant : Shri J.S. Yadav, Advocate
 For Respondent/State : Shri Vaibhav Kartikeya Agrawal, P.L.

Hon'ble Smt.Justice Rajani Dubey
Order On Board

19.11.2019

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.118/2019, registered at Police Station Dhamdha, District Durg(CG) for the offence punishable under Sections 420, 406, 34 of the IPC.
3. As per the case of prosecution the applicant along with co-accused Devendra Dubey, purchased crop from the villagers for Rs.8,17,657/-, but did not repay the same amount to them.
4. Learned counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in the crime. He submits that except in the FIR name of the present applicant is nowhere in the statements of the witnesses recorded under Section 161 Cr.P.C. He submits that the applicant is in jail

since 2.7.2019 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 applicant is in jail since 2.7.2019, 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