

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6365 of 2019**

- Dinesh Dewangan S/o Lakhidhar Dewangan Aged About 27 Years, R/o Village And Post Sonpur, Tahsil Bakawand, District Bastar Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : P. S. Karpawand, District Bastar, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Vikas A. Shrivastava, Adv.
For Respondent/State	:	Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****28/11/2019**

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. 19/2019 registered at Police Station Karpawand, District-Bastar (C.G.) for the offence punishable under Sections 420, 467, 468, 471 and 34 of the IPC.
2. The prosecution story, in brief is that complainant lodged a report that someone fraudulently withdrew Rs. 30,000/-, from his account of Gramin Bank Karpawand, which is the amount of P.M. Aawas Yojna, after investigation it is found that the present applicant along with other person withdrew the amount. 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 applicant is in jail since 24.04.2019, 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, detention period of applicant and further considering the facts that the offence is triable by Judicial Magistrate First Class. The present applicant is in jail since 24.04.2019 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**