

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6201 of 2019**

- Kumar Dewangan @ Sunny Babu @ Kallu S/o Kanhaiya @ Surya Babu Aged About 48 Years R/o Bada Aima, Khadakpur (West Bengal).

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Supela, District Durg Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Aman Yadav on behalf of Mr. B.P. Singh, Advocate.
For Respondent	:	Ms. Akshara Amit, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****21/11/2019**

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 761/2019 registered at Police Station - Supela, District Durg (C.G.) for the offence punishable under Section 420 of IPC.
- The prosecution story in brief is that, on 05.08.2019, the complainant Dhanvijay Verma lodged a report alleging that for providing job in Railway Department, the applicant has obtained Rs. 50,000/- Rs. 50,000/- on 26.07.2017 and Rs. 1,49,000/- on 19.02.2019 total Rs. 2,49,000/- from the complainant and the complainant has deposited the said amount in the bank account of applicant's friend, but no job was provided. Thereafter, offence has been registered against the applicant and he was arrested on 02.09.2019.
- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He

further submits that the applicant have never received any amount from the complainant for providing job. He is in jail since 02.09.2019, therefore, the present applicant may be released on bail.

- On the other hand, counsel for the State opposes the bail application.
- I have heard learned counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the fact that the offence is triable by Judicial Magistrate First Class and there is no seizure from the applicant, he is in jail since 02.09.2019 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.
- Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge