

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6393 of 2019**

- Rahul Patwa, S/o- Ramlal Patwa- Aged about- 25 years, R/o- Vaishnavi Vihar, Uslapur, P.S.- Civil Line, Bilaspur, District- Bilaspur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, through- Station House Officer, P.S.- City Kotwali, Bilaspur, District- Bilaspur (C.G.)

---- Respondent

 For Applicant : Shri Rajeev Kumar Dubey, Advocate

For State/Respondent : Smt. Smita Jha, Panel Lawyer.

Hon'ble Shri Justice Ram Prasanna Sharma
Order On Board

11.12.2019

1. This is third bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who have been arrested on 30.07.2018 in connection with Crime No. 283/2018 registered at Police Station- City Kotwali, District- Bilaspur (C.G.), for the offence punishable under Section 420/34 of the Indian Penal Code, 1860.
2. Earlier two bail applications were withdrawn with a liberty to repeat the same, if trial is not concluded within three months from July, 2019.
3. As per version of the prosecution, one Suraj Gupta alias Yogendra Shivhare deceived the complainant and other persons that he will make them employed in Health and Revenue Department and demanded money. The present applicant is involved in the case that he accompanied the

said Suraj Gupta and also participated in the crime in question.

4. The trial is going on as Crime No. 283/2018 by the Court of Sessions Judge, Bilaspur (C.G.).
5. Learned counsel for the applicant submits that the applicant is in jail since 31.07.2018 and he has already suffered one year and four months jail term and so far only one witness was examined before the trial Court, therefore, the trial Court will take sufficient time for disposal of the case. Hence, the applicant may be enlarged on bail.
6. On the contrary, learned State counsel opposes the application for grant of bail.
7. Looking to the detention period of the applicant i.e. one year and four months and further looking to the fact that the trial Court will take sufficient time, the application is allowed.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and 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 local surety in the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial Court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules.

Sd/-
(Ram Prasanna Sharma)
JUDGE