

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6465 of 2019**

- Shubham Singh S/o Shri Pankaj Singh Aged About 23 Years R/o Kavilash Nagar, Inside Hanuman Mandir, P.S. Khamtarai, Tahsil And District Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through - Police Station Kabir Nagar, District - Raipur Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Tarun Dansena Advocate.
For Respondent	:	Mr. Wasim Miyan, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****08/11/2019**

- 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. 153/2019 registered at Police Station - Kabir Nagar District Raipur (C.G.) for the offence punishable under Sections 406, 420/34 of IPC.
- The prosecution story in brief is that, on 24.05.2019, applicant ringed with his mobile phone to the mobile number of salesman of Shri Ram Electrical namely Mukesh and placed order of two numbers of A.C. seeking delivery to Avinash Ashiyana, Kabir Nagar and assurance was given to the taxi driver namely Ghansyam Nishad that he would pay Rs. 72000/- after withdrawing from bank and did not pay the amount and ran away with his friend with his motorcycle. Thereafter, offence has been registered against the applicant and the applicant was arrested 29.05.2019.
- Learned counsel for the applicant submits that the applicant

is innocent and has been falsely implicated in the case. Charge-sheet has been filed. He further submits that applicant is jail since 29.05.2019, there is no previous antecedent against him, 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 and perused the case diary.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, further considering the that fact that the offence is triable by Judicial Magistrate First Class, 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