

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6639 of 2019**

- Anil Kumbhaj S/o Kirshno Lal Kumbhaj Aged About 38 Years R/o Village - Sasha, Thana Paamgarh, Distt. - Janjgir - Champa Chhattisgarh At Present Address - Shivam Vihar Colony, Sarkanda, Bilaspur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station House Officer Thana - Bilaigarh Distt. Baloda Bazar - Bhatapara Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Deepak Jain, Advocate.
For State	:	Mr. Wasim Miyan, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****06/12/2019**

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing his on regular bail during trial in connection with Crime No. 209/2019 registered at Police Station - Bilaigarh, District Balodabazar Bhatapara (C.G.) for the offence punishable under Section 420/34 of IPC.
- In this case there are total five accused persons. On 27.06.2019, one Kiran Sahu lodged a written report alleging therein that the applicant along with co-accused persons, on the false pretext of cultivating alovera, had taken villagers to Bank and got sanctioned money on the name of villagers, which has been kept by the applicant and co-accused persons, after having agreement with the villagers. It is alleged that they had taken the money around 200 investors, which is around 7-8 corers and had absconded. On the basis of the said report. Offence has been registered.

- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the other co-accused persons namely Smt. Uma Kashyap and Umendra Verma have already been granted bail by this Court on 18.10.2019 in MCRCA No. 1271/2019 and MCRC No. 5604/2019 respectively. He next submits that applicant is in jail since 30.06.2019, and he is ready to furnish adequate surety and shall abide by all the directions and conditions which may imposed by this Court, 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, detention period of the applicant, and further considering the fact that two other co-accused persons have already been granted bail by this Court 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 local 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