

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6811 of 2019**

- Nasir Khan S/o Chand Khan Aged About 50 Years R/o Sayyed Fatehshah, Babli Nagar, Police Station Old Hubli, District Hubli, Karnataka.

----Applicant

Versus

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

---- Respondent

For Applicant	:	Mr. Rajbahadur Singh, Advocate.
For Respondent	:	Mr. Sameer Sharma, Dy.G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****10/12/2019**

- 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. 506/2019 registered at Police Station - Durg, District Durg (C.G.) for the offence punishable under Sections 420, 406, 409, 421, 34 of IPC.
- The prosecution story in brief is that complainant Chandra Shekhar Singh Thakur has lodged a report against one Shiva Kumar with the allegation the said Shiva Kumar has taken his Hywa vehicle on rent and executed the Ikrarnama but after taken the aforesaid Hywa Vehicle, he sold the same and accordingly committed cheating with the complainant and committed same cheating with others. Present applicant Nasir Khan alleged to be seized some fake name plat and registration number. On the basis of that, after investigation, offence has been registered against the applicant and he has been arrested.

- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that other co-accused persons have already been granted bail by this Court on 05.11.2019 in MCRC Nos. 5549/2019 and 5842/2019, present applicant is in jail since 01.08.2019, therefore, the present appellant 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, detention period of the applicant, further considering the that fact that other co-accused persons have already been granted bail, 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. 50,000/- 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