

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6593 of 2019

- Mahendra Das S/o Nathu Ram Kalar Aged About 32 Years R/o Village Singarpur, Police Station Mohgaon, Tahsil Chuikhadan, District - Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Singhanpuri District Kabirdham Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

----- Respondent

 For Applicant : Shri Raghvendra Pradhan, Advocate
 For Respondent/State : Ms. Akshara Amit, Panel Lawyer

Hon'ble Smt. Justice Rajani Dubey
Order On Board

03.12.2019

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.31/2019, registered at Police Station Singhanpuri, District Kabirdham(CG) for the offence punishable under Section 420/34 of the IPC.
3. Allegation against the present applicant is that he along with the co-accused persons representing themselves as Agent of Hero Honda Company obtained Rs.80,000/- from the complainant saying that the money would be enhanced in 1 to 13 days and he would get a motorcycle. But after some time, neither the amount was returned nor motorcycle was given and the cheque given to the complainant was dishonored.

4. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. He further submits that the co-accused has already been enlarged on bail by this Court vide order dated 11.11.2019, passed in MCRC No.5855/2019. He submits that the applicant is in jail since 13.8.2019 and trial may take some time for its final disposal therefore, the applicant may be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and the co-accused has already been released on bail and applicant is in jail since 13.8.2019, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.50,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE