

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6505 of 2019**

- Ilesh Doshi, aged 50 years, S/o Shri Manubhai Doshi, R/o village Birgaon Near Tower, P.S. Birgaon, District Ahmedabad, Gujrat. Presently residing at House No.1402, Shanti Residency, Block - A, P.S. New Rajendra Nagar, Tahsil & District Raipur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : P.S. Rajendra Nagar, Raipur, District Raipur (C.G.)

---- Respondent

For Applicant	:	Shri N. Naha Roy, Advocate
For Respondent	:	Shri Akhtar Hussain, P.L.
For Objector	:	Ms. Sharmila Singhai, Advocate.

Hon'ble Smt Justice Rajani Dubey**Order on Board****13/12/2019**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.10/2019, registered at Police Station - Rajendra Nagar, Raipur (C.G.) for the offence punishable under Section 420 IPC.
2. The prosecution story, in brief, is that the present applicant despite being a married person underwent marriage with the complainant namely Anupama Agrawal and, thereafter, by deceiving her obtained Rs.6,50,000/- from her and fled away. Based on this, offence has been registered. The present applicant has been taken into custody on 09.06.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that there is no evidence to show that the present applicant has received any money from the

complainant. In-fact, it is the applicant who has deposited money in the account of the complainant for her luxurious life when his business was running good, but after demonetization, he stopped depositing money in her account. He also submits that the applicant is suffering from physical ailment, he is in custody since 09.06.2019, charge sheet has been filed, the case is triable by Magistrate and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. Ms. Sharmila Singhai, learned counsel for objector vehemently opposed the bail application and submits that the applicant is habitual offender and, as many as 5 cases of identical nature have already been registered against the applicant.
6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the applicant is in custody since 09.06.2019, charge sheet has been filed, the case is triable by Magistrate and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
8. Accordingly, the bail application is allowed.
9. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.1,00,000/- with one local surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge