

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6711 of 2019

- Deepak Pandey S/o Late Shri Shambhu Prasad Pandey Aged About 39 Years R/o Village Bhurki Presently Residing At Singhour, Bemetara, Police Station - Bemetara , Tahsil And District - Bemetara Chhattisgarh.....(Applicant), District : Bemetara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Officer In Charge, Police Station - Bemetara , District - Bemetara Chhattisgarh.....(Non Applicant), District : Bemetara, Chhattisgarh

---- Respondent

 For Applicant : Shri Amit Kumar Chaki, Advocate
 For Respondent/State : Ms. Reena Singh, Panel Lawyer

Hon'ble Smt. Justice Rajani Dubey
Order On Board

09.12.2019

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.422/2019, registered at Police Station Bemetara, District Bemetara(CG) for the offence punishable under Section 420 of the IPC.
3. As per the case of prosecution, the complainant Bindu Sahu lodged report that the applicant obtained Rs.1,30,000/- dishonestly presenting himself as owner of the land bearing Khasra No.1492, area 2450 sq.ft. situated at Patwari Halka No.21 at village Kanteli, Tahsil Bemetara, entered into an agreement for sale of the said land and thereby committed cheating.

4. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the crime. He submits that there are business relations between the complainant and the applicant and on account of some dispute, a false report has been lodged by the complainant. He further submits that the offence is triable by Magistrate and the applicant is in jail since 19.8.2019 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 offence is triable by Magistrate, 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.1,00,000/- 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