

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6744 of 2019

- Santosh Kumar Sahu S/o Shri Dhansingh Sahu Aged About 34 Years R/o Village Bhibouri, Police Station Berla, District Bemetara, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Khamtarai, District Raipur, Chhattisgarh

---- Respondent

For Applicant	: Shri Akash Kumar Kundu, Advocate
For Respondent/State	: Smt. Reena Singh, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

09/12/2019

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.393/2019 registered at police station Khamtarai, District Raipur(CG) for the offence punishable under Section 420 IPC.

As per prosecution case, the applicant is alleged to have collected amount of Rs. 10,00,000/- for delivering the machine and other electronic items to the shop of the complainant but the same were not of superior quality. It is alleged that the complainant has therefore requested for repayment of the amount which was not returned by the applicant.

Counsel for the applicant submits that the applicant is innocent and he has been falsely implicated. He further submits that the said machine was delivered in the year 2016 and the complainant is claiming for the price in the year 2019. He submits that applicant is in jail since 27.07.19 and the trial will take time for final disposal and therefore he may be released on bail.

On the other hand, learned counsel for the State opposes the bail application.

Considering the totality of the facts and circumstances of the case, in particular the detention period of the applicant, I am inclined to release him on bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond of Rs. 1,00,000/- with one surety in the like sum to the satisfaction of the concerned court for his appearance before it as and when directed, he shall be released on bail.

Sd/-

(Rajani Dubey)
Judge