

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6911 of 2019**

- Dukalu Chaturvedi, S/o Late Nandu Chaturvedi, Aged About 62 Years, R/o Village Sagonadeehe, Police Station - Pandariya, Tehsil Pandariya District - Kabirdham (C.G.).

---- Applicant

Versus

- State Of Chhattisgarh, Through The Police Station - Pandariya, District - Kabirdham (C.G.).

---- Respondent

For Applicant	: Mr. Vivek Sharma, Adv.
For Respondent/State	: Mr. B.L. Sahu, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****12.12.2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 36/2019 registered at Police Station - Pandariya, District - Kabirdham (C.G.) for the offence punishable under Section 420 of I.P.C.
2. The prosecution story, in brief is that, applicant entered into an agreement of sale with complainant and obtained sum of Rs. 5,20,000/- and now despite of request of complainant, he had not registered the land in the name of complainant. Thereafter, offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that charge-sheet has been filed and offence has been triable by the Judicial Magistrate First Class. The applicant is in jail since 20.09.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that charge-sheet has been filed and offence has been triable by the Judicial Magistrate First Class. The applicant is in jail since 20.09.2019 and 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.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/-, with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**