

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6961 of 2019**

- Bhekhan Chandrakar S/o Premlal Chandrakar Aged About 47 Years, Caste Kurmi, R/o Ward No. 17, Mauharibhatha, Mahasamund, Police Station - Mahasamund, District - Mahasamund, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Police Station - Torwa, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:	Ms. Mandavi Bharadwaj, Adv.
For Respondent/State	:	Mr. Anil Tripathi, PL.

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. 258/2019 registered at Police Station-Torwa, District-Bilaspur (C.G.) for the offence punishable under Sections 420, 34 of the IPC.
2. The prosecution story, in brief is that complainant Mohammad Khalid lodged a written complaint that on 06.08.2019 when he reached at Chuchuhiyapara Railway Fatak, Bilaspur, wherein, 3-4 persons were talking about applicant/accused persons, who stayed in room No. 302 & 305 of the Sai Amrit Hotel at Chuchuhiyapara, who were falsely personating as officer of Railway, and was talking about appointment of Railway service introducing themselves as member of Godawn labour union and they were depositing Rs. 37,000/- each member, complainant also came under the influence of accused/applicant and other co-accused persons and deposited

Rs. 37,000/- after some time complainant doubted upon the applicant and other co-accused persons and went to the hotel for getting back deposited amount, where, accused persons were absent. Based on this, offence has been registered against the present applicant and other co-accused persons.

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 the applicant is in jail since 07.08.2019, 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, detention period of applicant and further considering the facts that the present applicant is in jail since 07.08.2019 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**