

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9224 of 2018**

- Arvind Kumar Baghel S/o Late Nathmal Lal Baghel Aged About 34 Years R/o Ward No. 36, House No. 34, New Khurseepar, Bhilai, Police Station- Khurseepar, District- Durg, CG

---- Applicant

Versus

- State of Chhattisgarh Through Police Station- Kurud, District- Dhamtari, CG

---- Respondent

For applicant	Mr. A.C. Sahu, Adv.
For Respondent/State	Mr. Vinod Tekam, PL.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****14-1-2019**

1. This is second bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court. His first bail application being 5414/2018 was dismissed by this Court on merit by this Court vide order dated 23-8-2018.
2. The applicant has been arrested in connection with Crime No. 79/2018 registered in police station Kurud Distt. Dhamtari (CG) for offence punishable under Section 420, 34 of the IPC.
3. Prosecution story in brief is that the applicant along with other co-accused deceived complainant Mahendra Kumar Sahu, induced him that if he will deposit money in different finance companies then he will get more amount. Ultimately, they received Rs. 22,00,000/- from the complainant dishonestly.
4. Counsel for the applicant argued that the applicant is innocent and falsely implicated. He further submits that the matter has been compromised between complainant Mahendra Sahu and the applicant. Looking to new circumstance, the applicant may be released on bail.
5. On the other hand, the Panel Lawyer appearing for the State opposed the bail application. However, he submits that no

criminal antecedent of the applicant is reported in the police case diary.

6. As per true copy of the statement of the complainant Mahendra Sahu Annexure A-3 recorded by the trial Court which is part of bail application, the complainant and the applicant have arrived at a compromise. This circumstance is sufficient to release the applicant on bail in this second round of litigation. Accordingly, the application is allowed. It is ordered that if the applicant furnishes one solvent surety for a sum of Rs. 50,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned with the condition that he will appear before the concerned trial Court at 11 AM as and when directed till trial, he be released on bail.
7. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge