

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9342 of 2018**

Chandrakumar Sahu S/o Maniram Sahu Aged About 43 Years R/o
Street No. 4, House No. 5-B, Sector-I, Bhilai, P. O. Sector-I, Police
Station Bhatti, District Durg Chhattisgarh, District : Durg, Chhattisgarh.

---- **Applicant**

Versus

State Of Chhattisgarh Through Police Station Supela, District Durg
Chhattisgarh, District : Durg, Chhattisgarh

---- **Respondent**

For the Applicant	:	Shri Shriwan Kumar Agrawal, Advocate
For the State	:	Ms. Sangeeta Mishra, Govt. Adv.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

08/01/2019

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.752/2018 registered at Police Station Supela, District Durg (C.G.) for the offence punishable under Section 406, 34 of IPC.
3. Case of the prosecution, in brief is that complainant Harendra Singh R/o Khursipar Zone-III, Bhilai had purchased a vehicle bearing registration number C.G. 07 CA/9805 through Chalamandlam Finance Company. On 12/04/2016 co-accused Syed Mazid Ali had entered an agreement for sale of said vehicle with complainant. He received Rs. 1 Lakh as an advance. Condition was that co-accused Syed Mazid Ali will pay the installments of said finance company. Thereafter co-accused Syed Mazid Ali did not deposited the installments. He also not return back the said vehicle to said complainant. Said agreement for sale was executed through applicant. Applicant is also the witness in said agreement for sale. He had also received commission in said agreement for sale.
4. Learned counsel for the applicant submits that he has innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that six other criminal cases have been registered against the applicant.
6. Though six other criminal cases have been registered against the applicant but looking to the facts and circumstances of the case, looking to the nature of evidence *prima facie* available on record, this Court is inclined to give the benefit under Section 439 of CrPC to the applicant. Accordingly bail application is allowed. It is directed that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Court

with the condition that he shall appear before the trial Court at 11.00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.

7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde