

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9799 of 2018**

- Shankar Lal Sahu, S/o- Late Mahettar Lal Sahu, aged about 50 years, R/o Sheetala Mandir, Mahayapara, Purani Basti, Raipur, District- Raipur, (C.G.).

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station – Tikrapara, District- Raipur, (C.G.).

---- Respondent

For Applicant	: Ms. Smita Jha on behalf of Shri Naveen Shukla, Adocates.
For Objectors	: Shri Shikhar Sharma, Advocate.
For Respondent/State	: Shri Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**15/01/2019**

1. The Applicant has preferred the second bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 166/2018, registered at Police Station – Tikrapara, District- Raipur, (C.G.) for the offence punishable under Sections 420, of the Indian Penal Code.
2. Vide order dated 11/09/2018 passed in MCRC No. 5840 of 2018, first bail application has been dismissed as withdrawn with liberty to file afresh at the appropriate time.
3. As per the prosecution story, on 18.04.2018 Complainant Parveen Mirza lodged a report wherein it has been alleged that between 16.04.2016 to January, 2017, the present Applicant in the name of providing job to the Complainant's daughter for the post of Hostel Superintendent, fetched a sum of Rs. 10,00,000/- from the Complainant and in default of not being able to provide the said job,

the Applicant gave a cheque of Rs. 10,00,000/- to the Complainant. Later on, the same cheque was dishonoured. On the basis of the said report, offence has been registered. The Applicant has been taken into custody on 19.04.2018.

4. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that charge-sheet has been filed, the Applicant has no criminal antecedent, he is in custody since 19.04.2018 and trial will take some time. Therefore, he may be released on bail.
5. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned Counsel for the parties and perused the case diary.
7. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicant has no criminal antecedent, he is in custody since 19.04.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
8. Accordingly, the bail application is allowed.
9. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge