

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 203 of 2020**

- Mohd. Safique Khan S/o Samir Khan Aged About 43 Years R/o Village And Post Jarha, Police Station Bijpur, Tehsil - Dudhi, District Sonbhadra, Uttar Pradesh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer Jainagar, District Surajpur, Chhattisgarh.

---- Respondent

For Applicant	:	Ms. Deepali Dubey, Adv.
For Respondent/State	:	Mr. Vinod Kumar Tekam, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****24/02/2020**

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. 198/2019 registered at Police Station-Jainagar, District - Surajpur (C.G.) for the offence punishable under Sections 420 and 120 of the IPC.
2. The prosecution story, in brief is that, on 21.08.2019 complainant Smt. Vedwati Sirdar lodged a written complaint that she owned a truck bearing registration No. CG-15-AC-1307, which had to be sold at the agreement of Rs. 10 lakhs and 65 thousand but the present applicant has not paid the full amount of the said truck and transferred to one Altaf by cheating. Based on this, 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 the applicant is in jail since

09.11.2019, 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 applicant is in jail since 09.11.2019 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. 50,000/- 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**