

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 61 of 2020**

1. Chandra Kumar S/o Jamuna Singh Aged About 28 Years, R/o Village Bamhanikhurd, P.S. Pali, District Korba, Chhattisgarh.
2. Chandrashekhar S/o Jamuna Singh Aged About 23 Years, R/o Village Bamhanikhurd, P.S. Pali, District Korba, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through : P.S. Katghora, District Korba, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. B.L. Dembra, Adv.
For Respondent/State	:	Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****10/01/2020**

1. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 360/2018 registered at Police Station-Katghora, District - Korba (C.G.) for the offence punishable under Sections 420, 34 of the IPC.
2. The prosecution story, is that on an application under Section 156(3) of the code of criminal procedure code, a direction was issued to the police regarding investigation of matter and thereafter instant crime has been registered, though same reflects civil in nature as per allegations made by the complainant that the present applicants got registered the land in question but not paid the entire amount of the registered land. Based on this, offence has been registered against the present applicants.
3. Learned counsel for the applicants submits that the applicants are

innocent and have been falsely implicated in the crime in question. He further submits that the applicants are in jail since 17.12.2019, there is no likelihood of their case being decided in near future, therefore, the present applicants 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 applicants and further considering the facts that the offence is triable by Judicial Magistrate First Class. The applicants are in jail since 17.12.2019 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 applicants on bail. Accordingly, the application is allowed.
7. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 25,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.
8. Certified copy today.

**Sd/-
(Rajani Dubey)
Judge**