

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 194 of 2020**

- Bhupendra Joshi S/o Yashwant Rai Joshi Aged About 28 Years
Occupation Student, R/o Village Sutupali, Police Station
Pusour, District Raigarh, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Police Station Pusour,
District Raigarh, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Sanjay Agrawal, Adv.
For Respondent/State	:	Mr. Akhtar Hussain, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****13/03/2020**

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. 79/2019 registered at Police Station Pusour, District-Raigarh (C.G.) for the offence punishable under Sections 420, 201, 34 of IPC.
2. The prosecution story, in brief is that, complainant Deepika Seth and her sister had received compensation in the year 2014 for the reasons that they had suffered disability on account of being incapacitated by electrical accident. The same was deposited in the bank account. It is alleged that the applicant and other co-accused were on the pretext of helping to the complainant in making of PAN card obtained cheque book and they have misused the same for withdrawing the amount of Rs. 1,92,000/- on various dates and also one of the transfers of Rs. 40,000/- has been made to the account of co-accused Prabhakar Gupta. Based on this

offence has been registered against the present applicant and another co-accused.

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 17.12.2019, 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 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 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**