

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 505 of 2020**

- Sunil Khemani, S/o Late Jasram Khomani, Aged About 51 Years, R/o Gali No. 4, Telibandha, Raipur, Tahsil & District- Raipur Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through The Station House Officer, Police Station- Telibadha, Raipur Chhattisgarh.

---- Respondent

For Applicant	: Mr. B. D. Guru, Adv.
For Respondent/State	: Mr. Vinod Kumar Tekam, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****05.03.2020**

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. 401/2019 registered at Police Station- Telibadha, Raipur, (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 120-B of IPC.
2. The prosecution story, in brief is that, complainant Kanhaiyalal Chhugani lodged a report with an allegation that applicant along with one Vinod Khemani advised the complainant to give loan to businessman to get regular interest on that loan. It is alleged that accused persons asked the complainant to give loan to their family firm 'Ankit Sales' and accordingly the complainant gave loan to the tune of Rs. 5 lacs to Ankti Sales and also got interest regularly on several occasions, but after some time he did not get interest, for which he has doubt of some misappropriation. Thereafter, 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 charge-sheet has been filed and the applicant is in jail since 04.12.2019, 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, and further considering the facts that the charge-sheet has been filed and the applicant is in jail since 04.12.2019 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**