

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 420 of 2020**

- Amir Khan S/o Salim Khan Aged About 29 Years R/o Village Jarwahi, Police Station O. P. Mohara, Tehsil Dongargarh, District Rajnandgaon, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : The Police Station Kotwali, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. S. S. Baghel, Adv.
For Respondent/State	:	Mr. Anurag Verma, PL.

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

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. 703/2019 registered at Police Station - Kotwali, District - Rajnandgaon (C.G.) for the offence punishable under Section 420 of the IPC.
2. The prosecution story, in brief is that, complainant Mohammad Anwar lodged a complaint that in the month February, 2018 when the complainant was with his friend Ajay Rajwani, the present applicant who works in the Labour Department of Chhattisgarh State approached to the complainant and allured him of providing contracts in the Railway Department and allegedly took Rs. 10,50,000/- from complainant Mohammad Anwar. The said amount was paid by the complainant to the applicant in various installments, but the applicant neither provided contracts nor returned the said amount to the complainant. 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 15.12.2019, 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 15.12.2019 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**