

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 789 of 2020

- Rajesh Kumar Tekam S/o Khirunath Tekam Aged About 28 Years
R/o Village Bagdari, Police Station Darima , Tehsil Ambikapur ,
District Sarguja Chhattisgarh., District : Surguja (Ambikapur),
Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police
Station Darima, District Sarguja Chhattisgarh., District : Surguja
(Ambikapur), Chhattisgarh

---- Respondent

For Applicant : Shri S.S. Baghel, Advocate

For Respondent/State : Shri Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey

Order on Board

17/03/2020

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.129/2019, registered at Police Station Darima, District Sarguja (CG) for the offence punishable under Sections 420, 34 of the IPC.
3. As per the case of prosecution, the complainant lodged a report that the applicant along with other co-accused persons has obtained a sum of Rs.3,60,000/- from him and Rs.13,96,000/- from the villagers, total Rs.17,56,000/- on account of digging bore well and providing Solar Plates to

them, but they did not provide the same nor returned the amount of Rs.17,56,000/-.

4. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case and main allegations are against other co-accused persons and they have been enlarged on bail by this Court in MCRC No. 611/2020. He submits that charge sheet has been filed and the applicant is in jail since 24.11.2019 and trial may take some time for its final disposal therefore, the applicant may be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant; charge sheet has been filed and the co-accused persons have been enlarged on bail, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.50,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE