

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 728 of 2020**

- Masih Das Khalakho, S/o Late Shri Bhukha Khalakho, Aged About 60 Years, Caste- Uranv, R/o Village- Karacha, Police Station- Chando, District- Balrampur-Ramanujanj Chhattisgarh. Present Address- Namnakala Ambikapur, Police Station- Gandhi Nagar, District- Sarguja, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through- The Station House Officer, Police Station- Manendragarh, District- Koriya, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Rishi Rahul Soni, Adv.
For Respondent/State	: Mr. Wasim Miyan, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17.03.2020**

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. 171/2019 registered at Police Station- Manendragarh, District- Koriya, (C.G.) for the offence punishable under Sections 420, 34 of I.P.C.
2. The prosecution story, in brief is that, the present applicant along with other co-accused person committed cheating of Rs. 2,50,000/- (Rs. 1,50,000/- on 13.06.2018 and Rs. 1,00,000/- on 20.07.2018) from the complainant on the pretext of providing employment on the post of constable in CG Armed Force. Thereafter, offence has been registered against the present applicant. Present applicant has been taken into custody since 04.07.2019.
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 04.07.2019, 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 applicant is in jail since 04.07.2019 as 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**

Ruchi