

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1163 of 2020**

- Shashikant Sahu, S/o Late Manharan Sahu, Aged about 33 years, R/o Mahavir Nagar, Matrichhaya Vihar, House No. A-7, PS New Rajendra Nagar, Raipur, Tahsil & District Raipur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through- Station House Officer, Thana- City Kotwali, District Raipur (C.G.)

---- Respondent

For Applicant	:	Mr. Sanjay Agrawal, Advocate.
For Respondent/State	:	Mr. Rahul Jha, G.A.
For Objector	:	Mr. Shivendu Pandya, Advocate.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****11/08/2020**

1. The accused/applicant has moved this second bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 321/2018 registered at Police Station- City Kotwali, District Raipur (C.G.) for the offence punishable under Sections 420, 467, 468 and 471 of the Indian Penal Code, 1860.
2. The first bail application of the applicant was dismissed as withdrawn by the Hon'ble Court on 06.12.2019 passed in MCRC No. 6630/2019.
3. The prosecution story, in brief is that, it is alleged that the complainant lodged an FIR at City Kotwali against the present applicant alleging that the present applicant is on the post of Administrator at Medical College, Raigarh, he took an amount from the complainant under the pretext to provide Government job in his institute. It is also alleged that the applicant had also prepared false documents like joining letter of the complainant, hence this offence has been registered.
4. 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 police has not collected any material evidences against the present applicant and no any

evidence on record which shows the present applicant was involved in conspiracy. The applicant is in jail since 13.12.2018, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

5. On the other hand, counsel for the State opposes the bail application.
6. I have heard learned counsel for the parties and perused the case diary.
7. 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 offence is triable by Judicial Magistrate First Class and the present applicant is in jail since 13.12.2018 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, subject to following conditions:-
 - That, the applicant will furnish a specific, undertaking that while on bail, he will not commit any offence, otherwise bail granted to him will be liable to be cancelled and shall co-operate the prosecution during trial.
 - That, the accused/applicant will make himself available for interrogation before the concerned Investigating Officer as and when required and the accused/applicant will not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer.
 - That, the accused/applicant will not act, in any manner, which will be prejudicial to fair and expeditious trial.
 - That, he will furnish a personal bond in the sum of Rs. 1,00,000/- (one lakh) 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