

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1143 of 2020

Jai Prakash, S/o. Ashok Singh, Aged About 34 Years, Resident Of
Dhanlakshmi Nagar, Near Krishna School, Bhanpuri, P.S. Khamtarai,
Raipur, Tahsil And District Raipur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through The Police Station Khamtarai, Raipur,
District : Raipur, Chhattisgarh

---- Respondent

For Applicant : Mr. Raza Ali, Advocate

For Respondent : Mr. Alok Bakshi, Addl. A.G.

Hon'ble Shri Justice Goutam Bhaduri

ORDER

12.05.2020

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.626/2019 registered at Police Station- Khamtarai, District Raipur (C.G.) for the offence punishable under Section 420/34 of Indian Penal Code.
2. As per the prosecution case, the applicant alongwith other co-accused have received a huge amount as earnest money for sale of certain land but subsequently the sale was not materialized.
3. Learned counsel for the applicant would submit that the applicant is only the broker, he facilitated for sale of the land, however, the same could not eventually take place and the document is on record that the applicant has advanced certain loan amount from the complainant. He further submits that the applicant is in jail since 18.11.2019; therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Considering the nature of allegation against the applicant and the fact that the applicant is in jail since 18.11.2019, I am inclined to release the applicant on bail. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge