

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1206 of 2020**

- Madar Khan @ Salim Khan S/o Shri Nazim Khan Aged About 45 Years R/o Village Dutkaiya Khapari, P.S. Rajim, District Gariyagband Chhattisgarh

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station Dhamdha, District Durg Chhattisgarh

---- Respondent

For Applicant : Shri Sunil Sahu, Advocate

For Respondent/State : Ms. Hamida Siddiqui, Addl. AG

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 on 07.05.2019 in connection with Crime No.117/2018 registered at Police Station Dhamdha, District Durg (CG) for the offence punishable under Sections 420, 384, 120-B/34 IPC.
2. As per the prosecution case, the applicant given the assurance to complainant to provide job in Railway and taken the amount of Rs. 20 Lakhs from the complainant thereafter the applicant along with the co-accused have cheated the complainant saying that there is Gold in his field about 80 Kg and after Puja he can remove the same so the complainant has given about Rs. 1,05,00000/- to the Madar Khan by transfer the amount in his account. Thereafter, offence

has been registered against the present applicant.

3. Learned counsel for the applicant submits that one of the co-accused namely Badshah Khan has already been released on bail by the co-ordinate Bench in M.Cr.C. No.7343 of 2019 on 09.01.2020 and the case of the present applicant is similar to that of the co-accused and the applicant is in jail since 07.05.2019, therefore, the applicant may be released on bail.
4. Learned State counsel could not dispute the fact that the similarly placed co-accused has been enlarged on bail.
5. Considering the fact that the applicant is in jail since 07.05.2019 and the similarly placed co-accused has been enlarged on bail, I am inclined to release the applicant on bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one 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 by the said Court.

Sd/-

Goutam Bhaduri
Judge

Ashu