

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1956 of 2020**

- Mannu Singh Thakur, S/o Shri B.S. Thakur, aged about 40 years, R/o Ganga Nagar Mangla, P.S. Civil Lines, Tehsil and District Bilaspur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station Civil Lines, District Bilaspur (C.G.)

---- Respondent

For Applicant	:	Ms. Shivali Dubey, Advocate
For Respondent	:	Shri Anand Verma, Dy.G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****02/06/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.767/2019 registered at Police Station - Civil Lines, District Bilaspur (C.G.) for the offence punishable under Sections 420 IPC.
2. The prosecution story, in brief, is that complainant Anurag Anand lodged a complaint against the present applicant alleging therein that his company will provide the machine by which the paper plates is being manufactured as also raw material and to sell the paper plates, he took Rs.2,70,000/-. But later on, the raw material was not provided to the complainant. Even the company has been shut down and thereby the present applicant committed cheating with him. Based on this, offence has been registered. The present applicant has been taken into custody on 26.12.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. She

also submits that the applicant is employee of the company and not the owner, and in the sell matter, he has been falsely implicated. She also submits that Rs.2,17,000/- has already been paid to the applicant and receipt thereof has also been annexed. She further submits that in the similar matter, vide order dated 14.02.2020 passed in MCRC No.8382/2019, the applicant has been granted bail. It is next submitted that the applicant is in custody since 26.12.2019, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the applicant has already been granted bail in similar matter (MCRC No.8382/2019), he is in custody since 26.12.2019, charge sheet has been filed and there is no likelihood of his case being decided in near future, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed, till final disposal of the trial.
9. It is made clear that if the applicant has already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **In Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (c) No. 1/2020), he need not furnish bail bonds afresh

and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if he has not furnished the bail bonds earlier, then he will be required to furnish bail bonds within four weeks from today.

Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Judge

Pekde