

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2263 of 2020**

- Rohit @ Ravi Nagwani S/o Shri Rajesh Nagwani, aged about 32 years, R/o Chikhali Rajnandgaon Police Station City Kotwali, Rajnandgaon, District Rajnandgaon (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station - City Kotwali, Rajnandgaon, District Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant	:	Ms. Savita Punjabi, Advocate.
For Respondent	:	Shri Dinesh Tiwari, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17/06/2020**

1. The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.34/2020 registered at Police Station - City Kotwali, District Rajnandgaon (C.G.) for the offence punishable under Sections 420, 34 of the IPC.
2. The prosecution story, in brief, is that the present applicant has been arrested as an accomplice of a woman namely Diksha Gajbhiye who had borrowed Rs.5,00,000/- by mortgaging gold jewelry which, on verification, found to be fake. Based on this, offence has been registered. The present applicant is in custody since 27.02.2020.
3. Learned counsel for the applicant submits that the present applicant has been falsely implicated in the crime in question.

She further submits that the present applicant only accompanied the lady, who borrowed Rs.5,00,000/- from jewelry shop, and he was not having any knowledge that the alleged golden ornaments were fake. She also submits that as the applicant is in custody since 27.02.2020 and the trial is likely to take some time for its final disposal, he may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, in particular the nature of allegation against the applicant and the detention period, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the application filed under Section 439 Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.50,000/- with one solvent surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
7. 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 23.3.2020 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 bond afresh and the bail bond already furnished shall be deemed to be the bail bond

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

8. Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Judge

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