

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.2231 of 2020

- Baldev Bhui, S/o Shri Pyare Singh Bhui, Aged About 51 Years, R/o House No.611, Gali No.21, DDA Flat, Madnagri Pushpanagar, New Dehli

---- Applicant

Versus

- State Of Chhattisgarh, Through The Station House Officer, Police Station Kharora, Raipur, Chhattisgarh

---- Respondent

For Applicant
For Respondent

Shri M. N. Thakur, Advocate
Shri H. S. Ahluwalia, Dy. AG

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board

27/04/2020

1. The applicant has preferred this first bail application under Section 439 of CrPC, as he is arrested in connection with Crime No.341/2019, registered at Police Station Kharora, District Raipur (C.G.), for the offence punishable under Sections 420 and 406 of IPC.
2. Case of the prosecution in brief is that the applicant entered into an agreement with the complainant for supply of 20 metric tonne skimmed milk powder and for which the applicant raised the proforma invoice for Rs.47,25,000/- and demanded 50% of the said amount and the remaining is required to be paid after delivery of the skimmed milk powder. According to the

complainant, the applicant delivered only 7 metric tonnes of the milk powder, despite depositing the amount by the complainant as demanded by the applicant. Thereafter, the applicant failed to supply the material and even he has not received the phone calls of the complainant.

3. Learned State counsel would oppose the prayer for grant of bail.
4. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and considering the fact that the applicant is in jail since 10.12.2019, this Court is inclined to release him on bail. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the concerned on duty remand Magistrate. He is directed to appear before the trial Court on each and every date given by the said Court.
5. Consequently, IA Nos.1 & 2 of 2020 stand disposed of.

Sd/-

Prashant Kumar Mishra
Judge

Nirala