

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2485 of 2020**

- Sheikh Saddam S/o Sheikh Saleem Raza Aged About 28 Years  
R/o Moti Talabpara Jagdalpur, District Bastar, Chhattisgarh,  
District : Bastar(Jagdalpur), Chhattisgarh

**---- Petitioner****Versus**

- State Of Chhattisgarh Through Police Station Kotwali,  
Jagdalpur, District Bastar, Chhattisgarh, District :  
Bastar(Jagdalpur), Chhattisgarh

**---- Respondent**


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| For Applicant  | : | Shri Vikash Shrivastava, Advocate |
| For Respondent | : | Shri Vimlesh Bajpai, G.A.         |

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**Hon'ble Smt Justice Rajani Dubey****Order on Board****20/05/2020**

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.108/2020, registered at Police Station – Kotwali, District Bastar (C.G.) for the offence punishable under Sections 406, 420, 467, 468, 471, 34, 212 & 120(B) IPC.
2. The prosecution story, in brief, is that complainant one Abdul Wahab Khan made a written complainat at Police Station, City Kotwali Jagdalpur, District Bastar alleging therein that the present applicant helped his father and other members of Anjuman Islamiya Committee in embezzling the amount received by them from various sources of the committee. Based on this, offence has been registered. The present

applicant has been taken into custody on 15.03.2020.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the main allegation is against co-accused (father of the applicant) and the only allegation against the present applicant is that he helped his father and nothing more than that. He further submits that the present applicant is in custody since 15.03.2020 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 case diary.
6. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact that the applicant is in custody since 15.03.2020, 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 local surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.
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