

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2948 of 2020**

- Vinod Patel S/o Pushkal Prasad Patel Aged About 40 Years R/o Village Kusma, P.S. Shivrinarayan, District Janjgir Champa, Chhattisgarh.

--- Applicant

Versus

- State of Chhattisgarh, Through S. H. O. Pandatarai, District Kabirdham, Chhattisgarh

--- Respondent

For Applicant : Mr. Basant Dewangan, Advocate.
For Respondent/State : Mr. Vimlesh Bajpai, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****05.06.2020**

- The accused/applicant has moved his 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. 155/2019 registered at Police Station – Pandatarai, District- Kabirdham (C.G.) for the offence punishable under Sections 420, 467, 468, 471 & 34 of IPC.
- According to the prosecution story, the applicant while he was working as time keeper in sugar mill located at Bisesara, Pandriya, whereby he, in the year 2019, took the name of sugar mill, gathered some farmers and took Rs. 2100/- from each farmer in the name of providing them shares, by misusing the rubber-stamp of the sugar mill, therefore, offence under Sections 420, 467, 468, 471 and 34 of the IPC was inscribed against the present applicant.
- Learned counsel for the applicant submits that the applicant is law-abiding citizen and is falsely implicated in this case and he further submits that there are no iota of evidence against the present applicant in this case. He next contended that the applicant is in jail since 07.03.2020, therefore he may be granted bail.
- On the other hand, counsel for the State opposes the bail

application.

- I have heard learned Counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant, as trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
- Accordingly, the bail application is allowed.
- It is directed that the applicant shall be released on bail on 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.
- 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), they 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 they have not furnished the bail bonds earlier, then they will be required to furnish bail bonds within four weeks from today.

Sd-

(Rajani Dubey)
Judge

Vasant