

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2917 of 2020**

- Sunder Lal Mahilang S/o Late Sanwaldas Mahilang Aged About 48 Years R/o Village Kankrel, Police Station Somni, Tehsil & District Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through The Police Station Somni, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant : Mr. S.S. Baghel, Advocate.
 For Respondent/State : Mr. D.K. Tiwari, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****04.06.2020**

- 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. 02/2020 registered at Police Station - Somni, District- Rajanandgaon (C.G.) for the offence punishable under Section 420 of IPC.
- According to the prosecution story, the applicant by alluring the complainant of providing him a job in the Police Department took Rs. 3,00,000/- from the complainant. It has further been alleged that when the applicant showed his inability to pay back the money, the applicant promised the complainant that he would transfer the title and possession of his land bearing Khasra No. 299/1 admeasuring in the name of the complainant. When the present applicant failed to fulfill the same, the complainant filed the present FIR. Hence, the present applicant committed the offence under Section 420 of IPC.
- Learned counsel for the applicant submits that the applicant has not committed any offence punishable with death or imprisonment of life and he further submitted that the applicant has falsely been implicated in the instant case. He

next contended that the applicant is in jail since 17.02.2020, 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