

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3598 of 2020**

- Mayachand Chandra @ Suraj Chandra, S/o Late Vishvanath Chandra, aged about 39 Years, R/o Village - Kutrabor, Thana - Jaijaipur, District Janjgir Champa Chhattisgarh.

----Applicant**Versus**

- State of Chhattisgarh, Through Chauki - Rampur, Police Station Kotwali, District Korba Chhattisgarh.

---- Respondent

For Applicant	Shri Sameer Singh, Advocate.
For Respondent/State	Shri Raghvendra Verma, Government Advocate.

Hon'ble Shri Justice Gautam Chourdiya
Order**10/07/2020**

1. Heard on admission.
2. The application is admitted for hearing.
3. With the consent of both the parties, the matter is heard finally through video conferencing.
4. This is the First Bail Application under Section 439 of Cr.P.C for grant of bail as the applicant is in jail since 27.04.2020 in connection with Crime No.286/2018 registered in Chauki-Rampur, Police Station- Kotwali, District Korba, C.G. for the offence punishable under Sections 420, 418, 422 and 423 of Indian Penal Code.

5. Allegation against the applicant is that he had obtained Rs.5,00,000/- on credit from the complainant for purchase of Bus but did not return the same dishonestly.
6. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in this case. He submits that the dispute between the parties is purely of civil nature, charge sheet has already been filed, all the offence are triable by the Magistrate. He submits that the applicant is in jail since 27.04.2020 and the trial is likely to take some time for completion.
7. On the other hand, learned counsel for the State opposes the bail application.
8. Having heard learned counsel for the parties and having regard to the nature of dispute between the parties, the fact that investigation has already been completed and the applicant is languishing in jail since 27.04.2020, without expressing any opinion on the merits of the case, this Court is of the opinion that present is a fit case for grant of bail to the applicant. Accordingly, the application is allowed. It is directed that in the event of applicant executing a personal bond for a sum of Rs.50,000/- with two sureties for the like amount to the satisfaction of the concerned trial Court, he shall be released on bail. He is directed to appear before the trial Court on each and every date given to him by the said Court, till disposal of the trial.

9. It is made clear that the applicant shall not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-
Gautam Chourdiya
Judge

Akhilesh