

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3610 of 2020**

- B. Ishwar Rao, aged about 33 years, S/o B. Gurumurthy Rao (Wrongly mentioned as Shri Gurumurthy), R/o Bhanpuri, Goverdhan Nagar, Khamtarai, Raipur, Tahsil and District- Raipur, Chhattisgarh.

----Applicant**Versus**

- State of Chhattisgarh, Through Station House Officer, Police Station- Ganj, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant	Smt. Smita Jha, Advocate.
For Respondent/State	Shri H.S. Ahluwalia, Dy. G.A.

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 01.03.2020 in connection with Crime No.54/2020 registered in Police Station Ganj, District Raipur C.G. for the offence punishable under Section 420 of Indian Penal Code.
5. Allegation against the applicant is that he obtained a total sum of

Rs.4,20,000/- from the complainant on different dates for getting him employment on the post of Assistant Development Extension Officer in Panchayat and Rural Development Department. When the complainant did not get the said employment, he demanded his money back from the applicant which was refused by him and consequently the complainant lodged a report against the applicant under Section 420 of IPC.

6. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in this case. The applicant had taken money on credit from the complainant and has already returned the said amount but the complainant was demanding interest on the amount, for which the applicant expressed his inability and therefore, a false report has been lodged against the applicant. She submits that charge sheet has already been filed in this case, the offence is triable by the Magistrate, the applicant is in jail since 1.03.2020 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 charge sheet has already been filed and the applicant is in jail since 01.03.2020, 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.1,00,000/- 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