

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4256 of 2020**

- Vijay Kumar @ Appu Rai, S/o Late Arjun Rai, Aged about 28 years, At present R/o Constable 13th Battalion Bango, Korba, District Korba (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through – Station House Officer, PS-Mandir Hasoud Raipur, District Raipur (C.G.)

---- Respondent

For Applicant	:	Ms. Smita Jha, Advocate.
For Respondent/State	:	Ms. Sunita Jain, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17/08/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 163/2020 registered at Police Station- Mandir Hasoud Raipur, District Raipur (C.G.) for the offence punishable under Sections 420 and 201, 34 of IPC.
2. The prosecution story in brief is that, prosecution against the present applicant is that the complainant Mithilesh Kumar lodged report that applicant in connivance with his friend co-accused Pramod Rajat, the main accused, is said to have collected huge amount of money from the complainant in different installment by the applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the co-accused and the present applicant were posted at a place that time and he requested to applicant that his account would be stopped and he borrows some amount from his relatives which urgent for his mother

treatment. That's why for helping him account details has been provided by present applicant. He next submits that the applicant is in jail since 22.05.2020, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application and submits that the allegation against the applicant is of serious in nature; therefore, no case is made out for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the offences are triable by Judicial Magistrate First Class as the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**

Vasant