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HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5637 of 2020

Paul Aged About 23 Years R/o Village And Police Station Bhasma, District Sundergarh (Oddhisha), District : Sundargarh, Orissa **--- Petitioner**

Versus

State of Chhattisgarh through Station House Officer, Police Station City Kotwali, District Bilaspur Chhattisgarh. **--- Respondent**

For the applicant	:	Mr. Amit Kumar, Advocate
For the State	:	Ms. Sunita Jain, Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14.12.2020

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 542 of 2018 registered at Police Station City Kotwali, Bilaspur Distt. Bilaspur (C.G) for the offences punishable u/ss 420, 468, 120-B (wrongly mentioned in the impugned order as 130-B), 34 of IPC.
2. As per the prosecution case, the applicant by playing fraud has drawn Rs.35,000/- from the account of complainant Daya Ram Makde, thereby the offence has been committed.
3. Learned counsel for the applicant submits that thereafter the applicant has paid the amount as there was some misunderstanding and compromise has been effected. He further submits that the amount has been paid and the witnesses have not supported the case of prosecution. He also submits that the applicant is in jail since 18.03.2019 he may be enlarged on bail.

4. On the other hand, learned State Counsel opposes the bail application.
5. Considering the fact that the applicant is in jail since 18.03.2019, the charge sheet has been filed and as the photocopy of the agreement has been placed on record to show that the amount has been paid, I am inclined to release the applicant on bail.
6. Accordingly, this application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.

C.c. as per rules.

Sd/-

GOUTAM BHADURI
JUDGE

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