

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4749 of 2020**

- Mohammad Akil S/o Late Mohammad Gos, aged about 30 years, R/o Ward No. 6 Adarsh Nagar, Kawardha, Police Station & Tahsil-Kawardha, District Kabirdham (C.G.)

---- Applicant

Versus

- State of Chhattisgarh Through- Station House Officer, Police Station Kawardha, District Kabirdham Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Dharmesh Shrivastava Advocate.
For Respondent/State	:	Mr. H.S. Ahluwalia, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****01.09.2020**

1. The applicant has filed this first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 230/2020 registered at Police Station Kawardha, District Kabirdham (C.G.) for the offence punishable under Section 420 of the IPC.
2. As per the prosecution case, the allegation against the present applicant is that by saying himself owner of the land, executed a sale deed with the complainant amount of Rs. 5,87,000/- but the same land was registered in the name of another person. Based on that, after investigation, offence has been registered against the applicant and he has been arrested.
3. Learned counsel for the applicant submits that the applicant

has been falsely implicated in the crime in question. He further submits that there is a delay of about two years in lodging the FIR. He also added in his submission that there is no receipt of agreement of giving money by the complainant to the applicant. The applicant is in jail since 22.06.2020 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.

4. On the other hand, State counsel strongly opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Taking into consideration the submission of the counsel, nature and gravity of the offence, facts and circumstances of the case, as applicant is in jail since 22.06.2020 and 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 said Court on each and every date given to him by the said Court.

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