

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5261 of 2020**

- Abdul Zakir Jilani S/o Shri Abdul Rajjak Jilani aged about 42 years, R/o Deendayal Colony Mangala Thana-Civil Line, District-Bilaspur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through - The Station House Officer, Police Station Kota, District-Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Sunil Sahu, Adv.
For Respondent/State	:	Mr. Rahul Jha, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****22/09/2020**

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. 76/2020 registered at Police Station Kota, District-Bilaspur (C.G.) for the offence punishable under Sections 420/34, 467 and 468 of the IPC.
2. The prosecution story in brief, is that complainant lodged a written complaint that the applicant along with other co-accused person impersonated themselves as officers of Ministry, took Rs. 4,75,000/- from him in the name of providing job in the Ministry. It is also alleged that forged joining letter was also given to him. Based on this offence has been registered against the applicant and other co-accused.
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 during the pendency of the bail application complainant and applicant has been entered into compromise and the amount in dispute has already

been paid to the complainant and the agreement has been executed between them. The copy of the compromise has been annexed with the application. He also submits that the applicant is in jail since 12.05.2020, 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 offence committed by the applicant is 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 that the complainant and applicant have been entered into an agreement and as per the copy of the agreement the disputed amount has been paid to the complainant. The applicant is in jail since 12.05.2020, 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 trial Court on each and every date given to him by the said Court.

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