

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4945 of 2020**

- Vinod Gautam S/o Dalchand Gautam aged about 29 years, R/o Math Mandir, Tilak ward, near Railway Station, Sivni, M.P.

---- Applicant**Versus**

- State Of Chhattisgarh, Through - Police Station Takhatpur, District-Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Hemant Kumar Agrawal, Adv.
For Respondent/State	: Mr. H. S. Ahluvalia, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****15/09/2020**

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. 52/2019 registered at Police Station Takhatpur, District-Bilaspur (C.G.) for the offence punishable under Sections 420, 34 of the IPC.
2. The allegation against the present applicant is that the applicant dishonestly withdrew Rs. 60,000/- from the account of complainant namely Ravindra kumar through ATM Center. The FIR was registered by the Police and the applicant and co-accused person were arrested by the police and offence has been registered against the present applicant and another 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 the investigation done by the prosecution agency is absolutely contrary to the provisions of law. He also submits that the charge-sheet has

been filed and the applicant is in jail since 30.03.2019, 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 applicant is in jail since 30.03.2019, 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**