

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5165 of 2020**

- Subhesh Pagare S/o Shri Krishna Pagare aged about 34 years, R/o Station Para, Shikshak Nagar Ward No. 12 P.S. Chikli, District Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through SHO P.S. Basantpur, District Rajnandgaon (CG)

---- Respondent

 For Applicant : Shri B.P. Singh, Advocate
 For Respondent/State : Ms. Sunita Jain, Govt. Advocate

Hon'ble Smt. Justice Rajani Dubey
Order On Board

21.09.2020

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.170/2020, registered at Police Station Basantpur, District Rajnandgaon(CG) for the offence punishable under Sections 406, 420 of the IPC.
3. As per the case of prosecution, the applicant has obtained Rs.4,50,000/- from the complainant and some other persons to provide them job, but he could not provide the job to them.
4. Learned counsel for the applicant submits that the applicant has not committed any offence. He submits that the complainant and other persons have deposited the money in the name of Atharva Agri Cure Pvt. Ltd. and they have not given the money to the applicant. He submits that the FIR has

been lodged after one year of the incident which shows that the story is cooked by the complainant. He submits that the applicant is in jail since 29.5.2020 and trial is likely to take some time for its final disposal, therefore, the applicant may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant; charge sheet has been filed and trial may take some time for its final disposal, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.50,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE