

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5150 of 2020**

- Mukesh Baghel, S/o Pejram Baghel, Aged About 32 Years, R/o Sitaram Colony, Golka Mandir, Gwalior, District- Gwalior (M.P.).

---- Applicant**Versus**

- State of Chhattisgarh, Through: Station House Officer, Police of Police Station- Baikunthpur, District- Koriya (C. G.).

---- Respondent

For Applicant : Mr. Anil Gulati, Adv.

For Respondent/State : Mr. H.S. Ahluwalia, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****21.09.2020**

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. 257/2015 registered at Police Station- Baikunthpur, District- Koriya (C.G.) for the offence punishable under Sections 409, 420, 120-B of IPC and Section 4, 5 of Inami Chit Evam Dhan Parichalan Scheme (Pabandi) Adhiniyam.
2. The prosecution story, in brief is that an FIR has been lodged by the beneficiary alleging that they have invested the money known as Sunshine, subsequently when they have not received the amount of commission from the company. Thereafter, offence has been registered against the present applicant and he has been taken into custody.
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 name of the applicant has not been mentioned in registered FIR. The charge-sheet has been filed and the applicant is in jail since 09.06.2016 and 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 the submission made in this respect. It is submitted that the present applicant is a Director of company and the offence committed by the present applicant is of 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, and further considering the detention period of the applicant and the name of the applicant has not been mentioned in registered FIR. The charge-sheet has been filed 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. 1,00,000/-, 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**

Ruchi