

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6174 of 2020

Gauri Shankar Das S/o Hari Shankar Das Aged About 49 Years R/o
House No. 154, D.N.K. Colony, Kondagaon , District Kondagaon
Chhattisgarh. **Applicant**

Versus

State of Chhattisgarh through Police Station Naimedh , District Bijapur
Chhattisgarh., District : Bijapur, Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Rakesh Pandey, Advocate
For the State	:	Mr. Gagan Tiwari, Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14.12.2020

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 25 of 2020 registered at Police Station Naimedh, Distt. Bijapur (C.G) for the offences punishable u/ss 420 read with Section 34 of IPC.
2. As per the prosecution case, the FIR was lodged for the reason that between 10.05.2017 to 20.05.2017, the applicant along-with other accused in order to provide the Tractor at cheaper rates obtained Rs.5 lakhs from the complainant.
3. Learned counsel for the applicant would submit that the charge sheet in this case was filed on 09.07.2020 and supplementary charge sheet was filed by the police on 06.09.2020 wherein according to the statement of complainant, an amount of Rs.5 lakhs has been returned. He would submit that the issue pertains to commercial transaction and no offence can be made out.

4. On the other hand, learned State Counsel opposes the bail application.
 5. Considering the fact that the statement of complainant which has been filed subsequently on 06.09.2020 and the fact that the charge sheet has been filed, the applicant is in jail since 11.07.2020, I am inclined to allow this bail application.
 6. Accordingly, this application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.
- C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**