

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4471 of 2019**

- Raghuveer Singh Rathore S/o Gangu Singh Rathore, R/o Village Gondi Devsi Badnagar Aged About (Not Mentioned), District Ujjain Madhya Pradesh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : The Police Station Basantpur, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. B. D. Guru on behalf of Mr. S. S. Baghel, Adv.
For Respondent/State	:	Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****06/01/2020**

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. 136/2017 registered at Police Station-Basantpur, District-Rajnandgaon (C.G.) for the offence punishable under Sections 420, 34 of the IPC and 10 of the Protection of the Depositors Interest Act.
2. The prosecution story, is that one of the co-accused in the present case Mansukhlal Sonwani obtained an amount of Rs. 9.5 lakhs belonging to the complainant Rajwanteen Bai Sahu and deposited the said amount in his bank account and thereafter the co-accused is said to have withdrawn a substantial portion of that amount without the knowledge and permission of the complainant and have invested the money by purchasing the bonds and Aarogya Dhanvarsha Developers and Allied Co. Ltd. and the allegation

against the present applicant is that he in connivance with the other co-accused person defrauded the complainant and deposited her money in the Aarogya Dhanvarsha Developers and Allied Co. Ltd. without her consent and permission. Based on this, offence has been registered against the present applicant.

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 co-accused has already been granted bail in MCRC No. 5028/2017 so, the present applicant may also be granted benefit of bail. The applicant is in jail since 29.04.2017, 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.
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 the facts that the other co-accused has already been granted bail and the applicant is in jail since 29.04.2017 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**

