

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7171 of 2019**

- Sujeet Kumar son of Ramvriksha Mahto, aged about 35 years, R/o village & Police Station Varishliganj, District Navada (Bihar)

---- Applicant**Versus**

- State of Chhattisgarh Through : Police Station Rakhi, District Raipur (C.G.)

---- Respondent

For Applicant	:	Ms. Laxmeen Kashyap, Advocate
For Respondent	:	Shri Anil Tripathi, P.L.

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

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.247/2019, registered at Police Station – Rakhi, District Raipur (C.G.) for the offence punishable under Sections 419, 420, 34 IPC.
2. The allegation against the present applicant is that he along with co-accused have fraudulently obtained Rs.20,000/- from the complainant on the pretext of giving admission in B.Sc. Nursing.
3. Learned counsel for the applicants submits that the applicant is innocent and has been falsely implicated in the case. She further submits that the name of present applicant does not find place in the FIR and he has not played any role in the crime in question. She also submits that the applicant is in custody since 21.08.2019, the offence is triable by Magistrate and there is no likelihood of his case being decided in near

future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application. He submits that there is memorandum of the applicant and consequent seizure thereof.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact that the applicant is in custody since 21.08.2019, the offence is triable by Magistrate and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge