

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7251 of 2019**

- Narayan Sarkar, S/o Gourang Sarkar, Aged About 32 Years, R/o Rajwada Para Sukma, District - Sukma Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through: The Police Station Vishrampur, District Kondagaon, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Pravin Kumar Tulsyan, Adv.
For Respondent/State	: Ms. Akshara Amit, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****07.01.2020**

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. 57/2019 registered at Police Station Vishrampur, District Kondagaon (C.G.) for the offence punishable under Sections 420, 34 of I.P.C.
2. The prosecution story, in brief is that, the complainant has lodged the report and alleged that in the year 2014, a loan has been issued by the Bank for Dip and pipe line work of his field in that work is not completed and loan amount has been withdrawn by applicant and other co-accused with the help of the bank officers. On such complaint, police has registered the FIR and arrested the present applicant and other co-accused. Thereafter, 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 offence has been triable by the Judicial Magistrate First Class. The applicant is in jail since 19.10.2019,

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, and further considering the facts that the offence has been triable by the Judicial Magistrate First Class. The applicant is in jail since 19.10.2019 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**