

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7223 of 2019**

- Budhmet Kujur D/o Ajeet Kujur Aged About 25 Years, Caste-Oraon (Schedule Tribe), R/o Village Amadarha, Police Station Darima, District Surguja, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : S.H.O. Police Station Darima, District Surguja, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Dev Ashish Biswas, Adv.
For Respondent/State	:	Mr. Sameer Sharma, Dy. G.A.

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 her on regular bail during trial in connection with Crime No. 90/2019 registered at Police Station-Darima, District-Surguja (C.G.) for the offence punishable under Section 420/34 of the IPC.
2. The prosecution story, is that complainant Shakuntal Behra filed a written complaint that the accused/applicant had taken Rs. 2,00,000/- with the promise to provide land to her but neither provided the same land nor returned money. 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 applicant is in jail since 01.10.2019, there is no likelihood of her 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 offence is triable by Judicial Magistrate First Class and the applicant is a 25 years old lady. The applicant is in jail since 01.10.2019 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 her 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. She is directed to appear before the trial Court on each and every date given to her by the said Court.

**Sd/-
(Rajani Dubey)
Judge**