

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7870 of 2019**

- Chidiebere Benard S/o Kristofard Aged About 25 Years R/o 125 Foot, Fourth Floor Chanakya Place New Delhi....(In Jail)

---- applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, P.S. Civil Line Raipur District Raipur Chhattisgarh...(Respondent)

---- Respondent

For Applicant.	:	Mr. Atanu Ghosh, Advocate.
For Respondent/State	:	Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****23.01.2020**

1. The applicant has filed this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 500/2019 registered at Police Station Civil Line Raipur, District Raipur (C.G.) for the offence punishable under Section 420, 34 of IPC.
2. The prosecution story in nutshell is that complainant Amana lodged a written report before the concerned police station alleging that the present applicant with his companion cheated the complainant over the phone in the name of surprise-gift relating to religious things and obtained Rs. 5,10,000/- from the complainant. Based on that, after completion of investigation, offence has been registered against the applicant and he has been arrested.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He further submits that in the present case police has not seized any bank account or money of the applicant and there is no corroborative evidence to connect the present applicant in the crime. He next added that he is in jail since 11.09.2019 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.
4. On the other hand, State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the facts and circumstances of the case, nature and gravity of the offence, as the applicant is in jail since 11.09.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the application is allowed. It is directed that on furnishing a personal bond in the sum of Rs. 1,00,000/- with two local surities in the like sum to the satisfaction of the concerned Court for his appearance as and when directed, the applicant shall be released on bail, subject to following conditions:
 - That, the applicant shall furnish a specific undertaking that while on bail, he will not commit any offence otherwise bail granted to him shall be liable to be cancelled and shall co-operate the prosecution during trial.
 - That, the accused/applicant shall make himself

available for interrogation before the concerned Investigating Officer as and when required and the accused/applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer.

- That, the accused/applicant shall not leave headquarters without the permission of trial Court.
- That, the accused/applicant shall surrender his passport in concerned police station, if any.
- That, the accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial.

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

Vijay Sahu