

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 7306 of 2019**

- Sankalp Yadav S/o Satish Yadav Aged About 37 Years, R/o Satyam Vihar Colony, Raipur, District Raipur, Chhattisgarh.

---- Applicant

**Versus**

- State Of Chhattisgarh, Through : The Station House Officer, Police Station Azad Chowk, District Raipur, Chhattisgarh.

---- Respondent

---

|                      |   |                            |
|----------------------|---|----------------------------|
| For Applicant        | : | Mr. Shivendu Pandya, Adv.  |
| For Respondent/State | : | Mr. Vinod Kumar Tekam, PL. |

---

**Hon'ble Smt. Justice Rajani Dubey****Order on Board****09/01/2020**

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. 292/2019 registered at Police Station-Azad Chowk, District-Raipur (C.G.) for the offence punishable under Sections 419, 420 and 465 of the IPC.
2. The prosecution story, is that the complainant lodged a report that he contacted to present applicant for purchasing the vehicle pulsar 150 DTSL bearing registration No. CG-05-R-0913 on being seen the advertisement in the OLX. The present applicant told his name as Kunal Sahu and after that he sold the above vehicle to the complainant sum of Rs. 17,000/- and applicant got Rs. 14,000/- cash and told the remained amount shall be taken on 04.07.2019 and on that date applicant will be given the vehicle related documents. After some time the applicant has switched off his mobile phone on which the complainant got the knowledge

regarding the above vehicle has not owned by the applicant and applicant impersonating the name of the Kunal Sahu and forgery is being committed by the applicant. 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 04.10.2019, 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, detention period of applicant and further considering the facts that the offence is triable by Judicial Magistrate First Class. The applicant is in jail since 04.10.2019 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. 25,000/- 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**