

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 7484 of 2019**

- Krishnaram Dewangan S/o Janaklal Dewangan Aged About 60 Years, R/o Camp No.1, Nehru Chowk, House No. 801, Thana Chawani Bhilai District Durg, Chhattisgarh.

---- Applicant

**Versus**

- The State Of Chhattisgarh, Through : Police Station Basantpur, District Rajnandgaon, Chhattisgarh.

---- Respondent

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| For Applicant        | : Mr. Shalvik Tiwari, Adv.         |
| For Respondent/State | : Ms. Akshra Amit, PL.             |
| For Objector         | : Mr. Abhishek Chandravanshi, Adv. |

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**Hon'ble Smt. Justice Rajani Dubey****Order on Board****17/01/2020**

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. 153/2019 registered at Police Station-Basantpur, District - Rajnandgaon (C.G.) for the offence punishable under Section 420 read with 34 of the IPC.
2. The prosecution story, is that the applicant along with other co-accused showed the land situated near Gunderdehi Bus Stand to complainant Heeru Ram Dewangan, allured him that they would purchase the said land and earn much money and fraudulently obtained Rs. 50,00,000/- from him but the applicant did not execute the sale-deed. 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 other co-accused has already been granted bail in MCRC No. 5604/2019 so, the present applicant may also be granted benefit of bail. The applicant is in jail since 24.09.2019, 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. Learned counsel for the objector opposed the bail application. He submitted that the present applicant intentionally committed the crime and there is direct evidence against the present applicant which show his involvement in the crime.
6. I have heard learned counsel for the parties and perused the case diary.
7. 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 co-accused has already been granted bail. The present applicant is in jail since 24.09.2019 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.
8. 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**