

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7550 of 2019**

1. Tegnu Das, S/o Thina Das, Aged About 69 Years, R/o Prem Nagar, Police Station - Kusmunda, Tahsil - Katghora, District - Korba Chhattisgarh.
2. Trilochan Das, S/o Tegnu Das, Aged About 39 Years, R/o Prem Nagar, Police Station - Kusmunda, Tahsil - Katghora, District - Korba Chhattisgarh.

---- Applicants**Versus**

- State of Chhattisgarh, Through The Station House Officer, Police Station - S.C. & S.T. (AJAK), Korba District- Korba Chhattisgarh.

---- Respondent

For Applicants	: Mr. Aditya Khare, Adv.
For Respondent/State	: Mr. Vinod Kumar Tekam, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****16.01.2020**

1. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 11/2019 registered at Police Station- S.C. & S.T. (AJAK), Korba District- Korba (C.G.). for the offence punishable under Sections 420, 467, 468, 471, 477 (A), 506 of I.P.C. and Section 3 (1) (द), 3 (1) (घ) of Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act, 1989.
2. The prosecution story, in brief is that, complainant had borrowed sum of Rs. 1,50,000/- from the applicant no. 1 in the year 2012 and at the time of borrowing money, he had mortgaged the SBI account, ATM Card, cheque book with the applicant no. 1. It is further alleged that on the basis of said documents, the applicant No.1 has got withdrawn the amount from the bank account of complainant to his bank account to the tune of Rs. 9,57,000/- which was not

returned by the applicant No. 1 to the complainant and demanded more amount of Rs. 2,50,000/- from the complainant. Thereafter, offence has been registered against the present applicants.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that the applicants are in jail since 11.11.2019, there is no likelihood of their case being decided in near future, therefore, the present applicants 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 applicants are in jail since 11.11.2019 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 applicants on bail. Accordingly, the application is allowed.
7. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 50,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

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