

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7970 of 2019**

- Gautam Prajapati @ Gautam Solanki S/o Omdatt Prajapati, Aged About 29 Years, R/o House No. 177, Agrawal Mandi, Tatehi, Police Station And District - Bagpat (U.P.)

---- Applicant**Versus**

- State Of Chhattisgarh Through The Police Station House Officer, Police Station - Saja, District - Bemetara Chhattisgarh.

---- Respondent

For Applicant	:	Shri Suresh Kumar Verma, Advocate
For Respondent	:	Shri Sameer Sharma, Dy. G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****27/01/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.84/2019, registered at Police Station - Saja, District Bemetara (C.G.) for the offence punishable under Sections 420, 467, 468, 471/34 IPC.
2. The prosecution story, in brief, is that complainant Dinu had applied for the post of Peon in Chhattisgarh Rajya Vipdan, and after getting appointment letter, a call was made to him by the applicant by mobile number 07303209648 demanding money towards security, agreement, insurance amount and verification to which the complainant deposited in all Rs.51,000/- in the account of co-accused Naseem Khan. Again a call was made to him by the same number demanding money on which the complainant agreed to pay the amount in cash only to which the applicant denied then the complainant realized that some cheating has been done with him and forge appointment letter was issued to him.

Based on this, offence has been registered. The present applicant has been taken into custody on 06.08.2019.

3. Learned counsel for the applicants submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the main accused is Naseem Khan in whose account the whole money was deposited by the complainant. He also submits that the applicant is in custody since 06.08.2019, the charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.
4. On the other hand, learned counsel for the State opposed the bail application. He submits that the mobile number from which the calls were made belongs to the applicant. He is resident of Uttar Pradesh and there is every likelihood of his fleeing away after getting bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact that the applicant is in custody since 06.08.2019, charge sheet has been filed and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one local surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge