

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8052 of 2019**

Ajay Kumar Yadav, S/o Bhaiyalal Yadav, aged about 37 years, R/o Imli Digg, Police Station and Tahsil Korba, District Korba (C.G.) (In jail)

---- Applicant**Versus**

State of Chhattisgarh, Through : Police Station Akaltara, District Janjgir-Champa (C.G.)

----Non-applicant

For Applicant	:	Mr. N.K. Chatterjee, Advocate.
For Non-applicant	:	Mr. Vaibhav Kartike Agrawal, Panel Lawyer.

Hon'ble Smt. Justice Rajani Dubey**Order On Board****28/01/2020**

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 223/2019 registered at police Station Akaltara, District Janjgir-Champa for the offence punishable under Sections 406 & 506 of the Indian Penal Code.

(2) Case of the prosecution in nutshell is that complainant Harun Plan Singh lodged a report at police Station Akaltara against the applicant stating inter alia that he made an agreement with the applicant on 22.06.2019 before the Notary with regard to his Trailer bearing registration No. C.G.-15-AC-2533 for giving the same on rent to the applicant, thereafter, after taking the aforesaid vehicle on rent, the applicant fled away and also threatened the complainant on telephone and thereby committed the aforesaid offence.

(3) Learned counsel appearing on behalf of the applicant submits that applicant has

falsely been implicated in the crime in question as there is no evidence available on record to connect the applicant with the crime in question. He further submit that applicant is in detention since 16.11.2019, charge sheet is yet to be filed but substantial investigation has already been made and that the trial is likely to take some more time for its final disposal, therefore, the applicant is entitled to be released on bail.

(4) On the other hand, learned counsel for the State, opposes the bail application.

(5) Taking into consideration the nature and the gravity of the offences; quality of evidence adduced by the prosecution and further considering the fact that applicant is in detention since 16.11.2019; trial is likely to take some more time for its final disposal; without further commenting on merits; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.50,000/- with one 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.

Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Judge

