

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8323 of 2019**

- Shersingh Sethiya S/o Shambhunath Sethiya Aged About 27 Years R/o Village Kurushpal, P. S. Nagarnaar, District Bastar, Chhattisgarh.

**---- Applilcant****Versus**

- State Of Chhattisgarh Through Police Station Nagarnaar, Chowki Bakawand, District Bastar, Chhattisgarh.

**---- Respondent**


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| For Applicant        | : | Mr. Vikash A. Shrivastava, Adv. |
| For Respondent/State | : | Mr. Anurag Verma, PL.           |

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**Hon'ble Smt. Justice Rajani Dubey****Order on Board****06/02/2020**

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. 221/2017 registered at Police Station-Nagarnaar chowki Bakawand, District - Bastar (C.G.) for the offence punishable under Section 420 of the IPC.
2. The brief facts of the prosecution, is that, complainant runs Women Self Help Group "Gangajal", the applicant meet with the complainant and told her that applicant made *dona-pattal* and assured to her to get one *dona-pattal* manufacturer machine for the complainant and took Rs. 1,30,000/- from the complainant. But neither he supplied the same nor refund the money. 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 28.09.2019, 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. 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 present applicant is in jail since 28.09.2019 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.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- 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**