

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7 of 2020**

- Rohit Singh Tomar S/o Om Prakash Singh Tomar Aged About 25 Years R/o Sai Villa, Bhathagaon, Police Station Purani Basti, District Raipur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : The Police Station Devendra Nagar, Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. N. Naha Roy, Adv.
For Respondent/State	:	Mr. B. L. Sahu, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****04/02/2020**

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. 134/2019 registered at Police Station-Devendra Nagar, Raipur, District - Raipur (C.G.) for the offence punishable under Sections 384, 34 of the IPC.
2. The brief facts of the prosecution, is that, complainant Mohan Lal Patel lodged a complaint that he borrowed Rs. 5,00,000/- from the applicant and instead of interest of money applicant threatened him and extorted Rs. 1,30,00,000/- and 35000 sq. ft. factory from him. It is also alleging that the applicant took sign of the complainant on blank stamp paper and blank cheque. 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 04.10.2019, 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 04.10.2019 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**