

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 8444 of 2019**

Kartikeshwar Kumar Shukla @ Kartik Shukla, Aged about 36 years, S/o Shri B. P. Shukla, R/o – Village & Post – Misda, P.S. - Nawagarh, District – Janjgeer-Champa (C.G.)

Present Address – In front of Tiwari Provision Store, Shiv Mandir Road, Ganga Nagar, Sector – 2, Mangla, Tehsil & District – Bilaspur (C.G.) (In jail)

**---- Applicant**

**Versus**

State of Chhattisgarh, Through SHO, PS – Sarkanda, District – Bilaspur (C.G.)

**----- Non-applicant.**

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|-------------------------|----------------------------------|
| For Applicant           | : Mr. Achyut Tiwari, Advocate.   |
| For Non-applicant/State | : Mr. Wasim Miyan, Panel Lawyer. |

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**Hon'ble Smt. Justice Rajani Dubey****Order On Board**

**07/02/2020**

(1) The accused/applicant has preferred 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. 620/2017 registered at police Station Thana – Sarkanda, District – Bilaspur (C.G.) for the offence punishable under Section 420 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant is running a business of selling electronic items, in which the complainant is working as Area Manager of his Company. It is alleged that the applicant did not provide full salary to him and, therefore, the complainant has lodged the FIR against the present applicant.

(3) Counsel for the applicant submits that the applicant has falsely been implicated in the case as there is no evidence available on record connecting the applicant with the crime

in question. He also submits that applicant is in jail since 10.12.2019; the charge sheet has already been filed and as the trial is likely to take some time for its final disposal, the 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 appearing for the parties and perused the case diary with utmost circumspection.

(6) Taking into consideration the facts & circumstances of the case; further considering the nature and gravity of the offence and the facts that applicant is languishing in jail since 10.12.2019; charge sheet has already been filed; trial is likely to take some time for its final disposal and no custodial interrogation is required; this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

(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 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 till disposal of the trial.

Certified copy, as per rules.

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

D/-

