

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C. No.477 of 2021

Mohan Sahu S/o Shri Vishnu Sahu, Aged About 28 Years, R/o: village -Ghanora, Thana -Pipariya, Distt- Kabirdham, (CG), Present Address -Daripara, Kawardha, District -Kabirdham, (CG).

---- Applicant

Versus

State of Chhattisgarh Through District Magistrate, Thana -Kawardha, District- Kabirdham (CG).

--- Respondents

For Applicant	: Mr. Mahesh Mishra, Advocate.
For Respondent/State	: Mr. Chandresh Shrivastava, Dy. AG.

Hon'ble Shri Parth Prateem Sahu, J
Order on Board

01/03/2021

Heard.

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to applicant, who has been arrested in connection with Crime No.232/2020, registered at Police Station -Kawardha, Distt -Kabirdham, (C.G), for the offence under Section 420 of the Indian Penal Code.
2. Learned counsel for the applicant submits that false and fabricated allegations have been levelled against present applicant. He has not taken any money from complainant on the pretext of providing Government Job. Applicant is in jail since 18.06.2020. A co-ordinate Bench of this Court vide order dated 04.01.2021 passed in MCRC Nos.6773 & 7102 of 2020 granted regular bail to applicant wherein also the allegations levelled are almost similar to that of present application. Hence, he may be released on bail.

3. Learned State Counsel opposes the submission of learned counsel for the applicant and submits that applicant is a habitual cheater and he cheated lacs of rupees from different persons on the pretext of providing Government Job or some other benefits. Hence, he is not entitled for grant of bail.
4. Heard learned counsel for both the parties.
5. Considering the entire facts and circumstances of the case, nature of allegations and the order passed by co-ordinate Bench of this Court, pre-trial detention since 18.06.2020, offence is triable by Magistrate, without commenting anything on merits of the case, I am inclined to allow the application.
6. Accordingly, bail application is allowed. It is directed that applicant shall be released on regular bail, on his furnishing bail bond in sum of Rs.10,000/- with one surety in the like sum to the satisfaction of the concerned Court on the conditions that-
 - a) He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
 - b) He shall not, in any manner, tamper with the prosecution witnesses.
 - c) If he is found involved in similar offence in the future, it will be open for the State to apply for cancellation of Bail.

Certified copy as per rules.

Sd/-

(Parth Prateem Sahu)
Judge

Jamal/-