

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Order Sheet****Proceedings through Video Conferencing****Misc. Criminal Case No.1892 of 2021**

- Roshan Choudhari S/o Sugreev Choudhari Aged About 32 Years R/o Post Urtan Kamran Tola, Police Station Kotma, District Anuppur (Wrongly Written As Anuppun) (M.P.)

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station City Kotwali, Balodabazar District Balodabazar- Bhatapara Chhattisgarh.

---- Respondent

 For Applicant : Shri Uttam Pandey, Advocate
 For respondent/State : Shri Alok Nigam, Govt. Advocate

Hon'ble Shri Justice N.K. Chandravanshi**Order On Board****31.5.2021.**

1. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 01.12.2020 in connection with Crime No.485/2020 registered at Police Station City Kotwali, Baloda Bazar, Distt. Baloda Bazar-Bhattapara (C.G.), for the offence punishable under Sections 420 and 34 of the Indian Penal Code.

2. Case of the prosecution, in brief, is that, complainant Rakesh Kumar Verma lodged a report that he had given around Rs.14 lakhs to Smt. Meva Chopra, Supervisor, Women and Child Welfare Project on her false promise of providing job to his wife in the Department, for sanctioning him tender for food/diet and also

for posting his wife near his residence etc. The present applicant is implicated in the crime in question as some amount was also transferred to his bank account.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. FIR has been lodged against four persons but name of the present applicant is not mentioned in the FIR. Present applicant is innocent, he has given his passbook and ATM card to one of the accused persons Mahendra Tiwari, under whose plan, some amount was transferred to the account of the present applicant. He further submits that the applicant is in jail since 01.12.2020, charge sheet has already been filed, therefore, present applicant may be enlarged on bail.

4. On the contrary, learned State counsel opposes the application for grant of bail.

5. Looking to the facts and circumstances of the case, nature and gravity of offence, period of detention and also considering the fact that present applicant is not named in the FIR and the trial will take some more time for its conclusion and as per submission of applicant's counsel charge sheet has been filed, without further commenting on merits of the case, I am inclined to release the applicant on bail.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.

50,000/- with two local surety of Rs.25,000/- each to the satisfaction of the concerned trial Court. He shall appear before the trial court regularly on each and every date as per direction of the court, unless exempted from appearance.

7. In view of the above, IA No.02/2021 for urgent hearing and IA No.03/2021 for hearing the case during summer vacation stand disposed of.

Certified copy as per rules.

Sd/-

(N.K. Chandravanshi)
VACATION JUDGE