

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**M.Cr.C. No. 1805 of 2021**

- Jeevan Lal Baghel son of Tetku Ram Baghel, aged about 52 years, resident of Village – Dheka, Police Station Torwa, Bilaspur, District Bilaspur (C.G.)

**---- Applicant**

**Versus**

- State of Chhattisgarh, Through Station House Officer, Police Station – Torwa, Bilaspur, District Bilaspur (CG)

**---- State/Non-Applicant**

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| For Applicant           | : | Shri Suryakant Mishra, Advocate     |
| For Non-Applicant/State | : | Shri Shrikant Kaushik, Panel Lawyer |

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**Hon'ble Shri Justice Gautam Chourdiya, J**

**Order on Board**

**05.04.2021**

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 18.02.2021 in connection with Crime No. 67/2021 registered in Police Station- Torwa, Bilaspur, District Bilaspur (CG) for the offence punishable under Sections 420, 467, 468 & 471/34 of IPC.
2. Case of the prosecution is that complainant Malikram Baghel filed a complaint case before the JMFC, Bilaspur for registration of offence under Section 420, 467, 468, 471 read with Section 34 of iPC alleging that in the year 2010-2011, a sum of Rs.25,000/- was sanctioned in his name under Indira Awas, but the said amount was not paid to him. It is also alleged that the then Sarpanch Jeevanlal Baghel, Secretary Vinod Yadav, Branch Manager of Cooperative Central Bank, Branch Bhilha in collusion with each other, withdrew the said amount. On the basis of above, the trial Court directed the concerned Police Station Torwa for conducting inquiry and submitting final report. Therefore, the Station House Officer, Police Station Torwa has registered the aforementioned offence under Crime No. 67/2021 against the present applicant and other co-accused persons.
3. Learned counsel for the applicant submits that the applicant has been falsely

implicated in this crime, he is languishing in jail since 18.02.2021 and conclusion of the trial is likely to take some time. Therefore, the applicant be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. Having heard learned counsel for the parties, considering the detention period of the applicant who is 52 years old, conclusion of the trial is likely to take some, he has no criminal antecedent as admitted by both the counsel, there is no apprehension of the applicant tampering with the evidence or absconding and the fact that the amount of Rs.24,500/- has been deposited by co-accused Vinod Yadav, Secretary on 24.01.2011 vide Annexure-A/3, without expressing any opinion on merits of the case, the bail application is allowed.
6. It is directed that in the event of applicant executing a personal bond for a sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the concerned trial Court, he shall be released on bail on the following conditions:-
  - i. he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court.
  - ii. he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
  - iii. he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
  - iv. he shall not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-

**(Gautam Chourdiya)**  
Judge