

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1904 of 2021**

- Avi Gumber S/o Surendra Singh Gumber Aged About 22 Years R/o Ward No. 8, Punjabipara, Bemetara, District Bemetara Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Bemetara, District Bemetara Chhattisgarh

---- Respondent

For Applicant	:	Ms. Sharmila Singhai, Sr. Adv. With Ms. Taniya Mondal, Advocate
For Respondents/State	:	Shri Ashish Tiwari, GA
For Objector	:	Shri U.K.S. Chandel, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order****06/07/2021**

1. Heard.
2. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 14.02.2021 in connection with Crime No.87/2021 registered at Police Station Bemetara, District Bemetara (CG) for the offence punishable under Section 384 of Indian Penal Code and Section 4 of C.G. Protection of Debtors Act, 1937.
3. As per the prosecution case, one Ashwani Kumar Sahu had made a report that he has availed a loan of Rs.65000/- from the applicant and returned Rs.2,50,000/- with interest, however, the demand for money was made and forcefully sale deed for purchase of a vehicle was got executed for which the

report is made.

4. Learned counsel for the applicant submits that the sale deed of the vehicle which is said to be executed in between the applicant and complainant was actually executed with the father of the complainant and not with the complainant Ashwini Kumar. He would further submit that the applicant might have lended money that cannot be a criminal offence. He would further submit that the applicant is in jail since 14.02.2021 and the charge-sheet in this case has been filed, therefore, the applicant may be released on bail.
5. Per contra, learned State counsel and learned counsel for the objector oppose the prayer for grant of bail and would submit that the similar antecedents are reported against the applicant and even the suicide has been committed by a minor in this case.
6. Having considered the facts of this case, nature of allegations and the fact that the charge-sheet has been filed and the applicant is in jail since 14.02.2021, I am inclined to release the applicant on bail.
7. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- 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 by the said Court.

Sd/-

Goutam Bhaduri
Judge

Ashu