

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2970 of 2021**

Chhotu Bhardwaj, S/o Bhagwani Bhardwaj, aged about 35 years,
R/o Village Jhalmala, Police Station Mulmula, District Janjgir
Champa (CG).

----Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Police
Station Sarkanda, District Bilaspur (CG).

----Non-applicant

For Applicant Shri Bharat Gulabani, Advocate.

For State Shri Adil Minhaj, Government Advocate.

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****18/06/2021**

1. The matter is heard through Video Conferencing.
2. The applicant has preferred this bail application under Section 439 of Cr.P.C. as he has been arrested in connection with Crime No.679/2020 registered at Police Station Sarkanda, District Bilaspur, C.G. for the offence punishable under Sections 419, 420, 467, 468, 471, 120(B) of Indian Penal Code.
3. Case of the prosecution, in brief, is that complainant Chetan Kumar Kevat lodged a report against the applicant & other co-accused alleging in it that they sent one fake person to him for purchasing a 14 wheeler truck and that person agreed to buy the

same in the sum of Rs.12,75,000/- and gave a cheque worth Rs.2,25,000/- to the complainant and took away the said truck from him but till date complainant has not received a single penny from fake person and could not trace him. On report being lodged to the above effect, offence under the aforesaid sections have been registered registered against the applicant.

4. Learned counsel for the applicant submits that the applicant is innocent person and has been falsely implicated in this case. He submits that the allegation against the present applicant is false and baseless. The applicant is in jail since 11.02.2021 and conclusion of trial is likely to take some time. Therefore, applicant be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Heard learned counsel for the parties and perused the case diary.
7. Considering the facts and circumstances of the case, the nature of allegation leveled against the present applicant, the detention period of the applicant, who is 35 years of age and the fact that the applicant has no criminal antecedent and there is no likelihood of the applicant tampering with the evidence or absconding as submitted by the counsel for the applicant and conclusion of trial may take some time, without expressing any opinion on the merits of the case, this Court is of the opinion that present is a fit case for grant of bail to the applicant. Accordingly, the bail application is allowed. It is directed that in the event of applicant executing a personal bond for a sum of Rs.1,00,000/- with two sureties of

Rs.50,000/- 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 strictly follow the COVID-19 protocol issued by the Central Government / State Government / Local Authority.
- (v) 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 this Court

Let a copy of this order be forwarded to the concerned police station forthwith who shall inform the trial Court in the event of applicant involving himself in similar offence in future.

Sd/-
Gautam Chourdiya
Judge

L/-