

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 2932 of 2021

- Pitamber Kumar Deshmukh S/o Baalaram Deshukh, aged about 25 years, Caste-Kurmi, R/o Village Chingaari, P.S. Anda, Tehsil & District Durg (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through SHO Gunderdahi, District Balod (C.G.)

---- State/Non-Applicant

For Applicant	:	Shri B.P. Singh, Advocate
For Non-Applicant/State	:	Shri Anand Verma, Deputy Government Advocate

Hon'ble Shri Justice Gautam Chourdiya, J

Order on Board

17.06.2021

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 25.03.2021 in connection with Crime No. 70/2021 registered in Police Station- Gunderdahi, District Balod (CG) for the offence punishable under Sections 420, 467, 468 & 471 of IPC.
2. Case of the prosecution is that on 24.03.2021 complainant Smt. Gunja Sahu has lodged a report that the applicant has received Rs.40,000/- in cash and Rs.55,000/- through phonepe for providing job to her on the post of computer operator in Mekahara Hospital, Raipur. It is further alleged that when complainant received appointment order then it was found that it was a forged appointment order and as like the same applicant has also received Rs.40,000/- cash and Rs.30,000/- through Indusind Bank to provide her husband job and the applicant has not arranged the job.
3. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in the crime in question. He submits that the applicant is in jail since 25.03.2021, charge-sheet has been filed and due to covid-19 pandemic, conclusion of the trial is likely to take some time, therefore, he 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, having regard to the facts and circumstances of the case, considering the detention period of the applicant who is 25 years old, charge-sheet has already been filed, due to covid-19 pandemic, conclusion of the trial is likely to take some time, the applicant has no criminal antecedent as admitted by both the counsel, there is no apprehension of the applicant tampering with the evidence or absconding, that offence is triable First Class Magistrate, 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.2,00,000/- with two sureties of Rs.1,00,000/- 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/her 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.
7. 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 nature of offence.

Sd/-
(Gautam Chourdiya)
Judge