

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7344 of 2020

1. Tapesb Kumar Sindhi S/o Meghraj Sindhi, Aged About 46 Years, R/o Rishabh Colony, Durg, Tahsil And District Durg (C.G.).

---- Applicant

Versus

1. State Of Chhattisgarh, Through District Magistrate, Durg, District Durg (C.G.).

---- Non-Applicant

For Applicant	: Mr. Bharat Gulabani, Advocate.
For Non-Applicant/State	: Mr. Vimlesh Bajpai, Govt. Advocate.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

10/03/2021

- 1) This is the First Bail Application filed under Section 439 of Code of Criminal Procedure, 1973 by the applicant for grant of bail as he is in custody since 22/04/2020 in connection with Crime No. 124/2020 registered at Police Station Nevai, District Durg (C.G.) for the offence under Sections 408, 420, 467, 468 & 471 of IPC.
- 2) Allegation against the present applicant is that while working in the Jewellery Shop of the complainant Bharat Kumar Jain i.e. Saheli Jewellers, he committed certain irregularities in maintaining the jewellery items in a fraudulent manner and prepared forged documents thereby causing loss of Rs. 10,04,595/- to the complainant.
- 3) Learned counsel for the applicant submits that applicant is an innocent person and has been falsely implicated in this case. He submits that the applicant is in jail since 22/04/2020, charge sheet has already been filed and trial is likely to take some time for its disposal. He also submits that the applicant has no criminal antecedent. Therefore, the present applicant be released on bail.

- 4) On the other hand, learned counsel for the respondent/State opposes the bail application. He submits that the applicant has no criminal antecedent.
- 5) Heard learned counsel for the parties.
- 6) Considering the facts and circumstances of the case, the applications filed by the applicant and the complainant before the Trial Court for compromising the matter, the detention period of the applicant, the charge sheet has already been filed and the fact that the applicant has no criminal antecedent and there is no apprehension of the applicant tampering with the evidence or absconding as admitted by both the counsel, and the trial is likely to take some time for disposal, without commenting anything on merits of the case, the 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. 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 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 Court.

-Sd/-
(Gautam Chourdiya)
Judge