

MCRC No. 7044 of 2021

---- ***Applicant***

---- Respondent

For Applicant : Shri Prasoon Agrawal, Advocate
For respondent/State : Smt. Hamida Siddiqui, Dy. Advocate
General
For objector : Shri Satyendra Srivas, Advocate

Order On Board

12.11.2021.

1. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 30.8.2021 in connection with Crime No.389/2021 registered at Police Station Bhatapara (village) Distt. Baloda Bazar – Bhatapara (C.G.), for the offence punishable under Sections 420, 506 & 294 of the Indian Penal Code, 1860 (for short 'IPC').

2. Brief facts of the case are that the applicant received Rs.3,00,000/- from the complainant for providing job to her, but the applicant failed to provide job to her and when the complainant asked the applicant to return the money, the

applicant abused her and also threatened to kill her. On the basis of above facts, crime was registered under Sections 294, 506 & 420 of IPC in Police Station Bhatapara (village), Distt. Baloda Bazar.

3. Learned counsel for the applicant submits that the applicant has not committed the alleged crime, he has been falsely implicated in the offence, charge sheet has been filed, but there is no such document which could prove that the alleged amount was deposited by the complainant or her relatives into the account of the applicant. He would next submit that the applicant is in jail since 30.8.2021 and conclusion of the trial will take considerable time, hence the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the submission made by learned counsel for the applicant stating that the applicant has taken money by cheating and also abused and threatened the complainant, hence, his application for grant of bail may be rejected.

5. I have heard learned counsel for both parties, perused the case diary and the material available on record.

6. Considering the facts and circumstances of the case, nature and gravity of offence, detention period of the applicant, and also taking into consideration that charge sheet has already been filed and there is no chance of tampering the evidence by the applicant and also that he is the permanent resident of Distt.

Bilaspur, I feel inclined to allow the bail application. Therefore, the application under Section 439 of the CrPC is allowed. The accused applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.25,000/- with two sureties 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 to him by the said Court.

Certified copy as per rules.

Sd/-

(N.K. Chandravanshi)
JUDGE