

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8752 of 2020**

- Dushyant Dubey, S/o Rohini Kumar Dubey, Aged About 41 Years, R/o D/25, Panchvati Colony Dhamtari, Police Station City Kotwali, Dhamtari, District- Dhamtari Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through: Station House Officer, Police Station- City Kotwali, Baloda Bazar, District- Baloda Bazar Bhatapara Chhattisgarh.

---- Respondent

For Applicant	: Mr. Ganesh Ram Burman, Adv.
For Respondent/State	: Mr. Samir Uraon, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****01.04.2021**

1. The accused/applicant has moved this **first bail application** under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 242/2016 registered at Police Station- City Kotwali, Balodabazar, District- Balodabazar, (C.G.) for the offence punishable under Section 420 of IPC and 138 of Negotiable Instrument Act.
2. The prosecution story, in brief is that, in the year 2012, an office was opened on the name of Bhartiya Krishi Vikas Bahudeshiya Sahakari Samiti Maryadit Raipur at Gupta Complex Balodabazar, whose registered ID No. is 38. One Dushyant Dubey and Anand Bihari Rajput were the chairman and vice-chairman and one other co-accused Surendra Dhruv was its Branch Manager. This organization on the name of providing loan, deposited a sum of Rs. 3,30,000/- from some people and thereafter all the three people closed the office and absconded. Thereafter, offence has been registered against the present applicant and other co-

accused persons.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant is in jail since 21.10.2020 there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
4. On the other hand, counsel for the State opposes the bail application and the submission made in this respect. It is submitted that the society is not a registered society and the offence committed by the applicant is of serious in nature, and, therefore, no case is made out for grant of bail.
5. I have heard learned counsel for the parties and perused the record.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the applicant is in jail since 21.10.2020 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/-, with one local 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 to him by the said Court.

Sd/-
(Rajani Dubey)
Judge

Ruchi