

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8984 of 2020

- Som @ Som Prakash Sarva S/o S.R. Sarva, Aged About 35 Years R/o. Ward No. 2, Rajhara, Baba Dafai Pandardalli, Dallirajhara, District Balod Chhattisgarh., District : Balod, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through - The Station House Officer, Police Station Rajhara, District Balod Chhattisgarh., District : Balod, Chhattisgarh

--Non-Applicant

For Applicant	: Shri Love Kumar Ramteke, Advocate
For Non-Applicant/State	: Shri Vaibhav Singh, P.L.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

27.01.2021

1. Heard.
2. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested on 9.11.2020 in connection with Crime No.58/2017, registered at Police Station- Rajhara, District-Balod(C.G.) for the offence punishable under Section 420 of the IPC.
3. Case of the prosecution is that the present applicant obtained a sum of Rs.3,50,000/- from one Dayal Das, Rs.1,00,000/- from Manish Das Manikpuri and Rs.1,00,000/- from Kamal Singh Thakur for providing job in the Bhilai Steel Plant, but he could not provide the job and when the money was demanded, he abused and threatened to death. Based on this, an offence has been registered against the applicant and he was arrested.
4. Learned counsel for the applicant submits that the allegations against the applicant are false and fabricated and he has been falsely implicated in the case. He submits that yet charge sheet has not been filed and no offence is made out against the

applicant for commission of offence under Section 420 of the IPC, therefore, at this stage, he may be granted bail.

5. On the other hand, learned counsel for the Non-Applicant/State opposes prayer for grant of bail and submits that earlier, one case was registered against the applicant but, he has been acquitted of the same.
6. Having considered the submission made by learned counsel for the parties, the nature of allegations against the applicant; the detention period and conclusion of trial is likely to take some time, without commenting on merits, I am inclined to grant bail to the applicant.
7. Accordingly, the bail application is allowed.
8. It is directed that in the event of the applicant executing a personal bond for a sum of Rs.2,00,000/- with two sureties of Rs. 50,000/- each to the satisfaction of the concerned Trial Court, he shall be released on bail on following conditions:-
 - (a) 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.
 - (b) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
 - (c) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
 - (d) he shall not involve himself in any offence of similar nature in future.

Sd/
(Gautam Chourdiya)
Judge