

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8623 of 2020**

- Krishna Murti Patro S/o Shri Gopinath Patro Aged About 51 Years R/o Sector 7 Bhilai, Bhilai Nagar, Durg, District Durg, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, P.S.- Bhilai Nagar, District Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. B. P. Singh, Adv.
For Respondent/State	:	Mr. Vimlesh Bajpai, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****12/04/2021**

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. 372/2020 registered at Police Station-Bhilai Nagar, District - Durg (C.G.) for the offence punishable under Section 420 of the IPC (Section 34 wrongly mentioned).
2. Prosecution case in brief is that, the complainant made a written complaint with the allegation that, the applicant has taken Rs. 4,00,000/- from complainant for securing the job of clerk at Sahkari Kendriya Bank, but the applicant has not fulfilled the promise, after that applicant gave a cheque of Rs. 4,00,000/- to the complainant which was of Hold Account. Based on this, offence has been registered against the present applicant.
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 as per the order of this Hon'ble Court dated 10.03.2021, Rs. 2,00,000/- has been deposited before the trial Court, receipt of the same has been enclosed with the application. He also submits that charge-sheet has been filed and the applicant is in jail since 25.09.2020, 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 submits that the applicant did a serious offence; therefore, he may not be released on bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the applicant is in jail since 25.09.2020 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**