

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9221 of 2020

- Keshav Prasad Banjare Son Of Rewaram Banjare Aged About 34 Years Resident Of Kundrupara Balod, Tahsil And District- Balod (Chhattisgarh), District : Balod, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station, Balod, District-Balod (Chhattisgarh), District : Balod, Chhattisgarh

--Non-Applicant

For Applicant	: Shri Goutam Khetrapal, Advocate
For Non-Applicant/State	: Shri Vimlesh Bajpai, G.A.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

29.01.2021

1. 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 3.12.2020 in connection with Crime No.382/2020, registered at Police Station- Balod, District-Balod(C.G.) for the offence punishable under Section 420 of the IPC.
2. Case of the prosecution is that the applicant obtained money from the complainant to provide her a job in the Hospital run by W.W.H.O., a private organization. The complainant gets the job and served for about three months but she was not paid remuneration, therefore, she left the job and demanded the money given by her to the applicant. The applicant gave cheques, which were dishonored. Based on this, an offence has been registered against the applicant and he was arrested.
3. 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 the complainant herself obtained the job and she was working but when she

could not receive remuneration, she left the job and demanded money from the applicant. He submits that yet charge sheet has not been filed and conclusion of trial is likely to take some time, therefore, at this stage, he may be granted bail.

4. On the other hand, learned counsel for the Non-Applicant/State opposes prayer for grant of bail.
5. Having considered the submission made by learned counsel for the parties, the nature of allegations against the applicant; the offence is triable by Magistrate and he is in jail since 3.12.2020 and conclusion of trial is likely to take some time, without commenting on merits, I am inclined to grant bail to the applicant.
6. Accordingly, the bail application is allowed.
7. It is directed that in the event of the applicant executing a personal bond for a sum of Rs.1,00,000/- 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