

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8442 of 2022

- Santosh Saket son of Lalman Saket, aged about 32 years, resident of village Ufrauli, Police Station Amiliya, Distt. Sidhi (MP)

**---- Applicant
In Jail**

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kotwali, Jagdalpur, Distt. Bastar (Jagdalpur) (CG)

---- Respondent

For Applicant	:	Mr. SK Sahu, Advocate.
For Respondent/State	:	Ms. Smriti Shrivastava, Panel Lawyer.

Hon'ble Smt. Justice Rajani Dubey

Order On Board

14/10/2022

The applicant has preferred this **first** bail application under Section 439 of CrPC for grant of regular bail as he is arrested in connection with Crime No.112/2021 registered at Police Station – Kotwali, Jagdalpur, Distt. Bastar (CG) for the offence punishable under Section 420/34 of IPC and Section 66D of the Information Technology Act.

02. As per the prosecution case, on 27.3.2021 complainant Nadim Khan agreed to purchase an used car through OLX for Rs.1.50 lacs from the accused persons and deposited Rs.21,250/- & Rs.27,000/- in the account of the applicant on the same day. On the same day, co-

accused Mohd. Yasin also deposited Rs.39,000/- in the account of the applicant and another co-accused Shahil Tirki also deposited Rs.79,500/- in his account which was deposited in their account by the complainant. However, the said car was not provided to the complainant and they have cheated them.

03. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in the crime in question. The complainant deposited the amount in the account of the co-accused persons and not in the account of the applicant. The applicant never obtained any amount from the complainant and merely on the basis of suspicion he has been implicated in this case because the co-accused persons deposited some amount in his account. The applicant is in jail since 12.6.2022; charge sheet has already been filed and conclusion of the trial is likely to take some time. Therefore, the applicant may be released on bail.

04. On the other hand, learned counsel for the State opposes the bail application.

05. I have heard learned counsel for the parties and perused the case diary.

06. Considering the facts and circumstances of the case, the nature of allegations against the applicant, the detention period of the applicant; charge sheet has already been filed and that conclusion of the trial is likely to take some time, without commenting anything on merits of the case, I am inclined to release the applicant on bail. Accordingly, the bail application is allowed.

07. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one local surety of the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed, till final disposal of the trial.

sd/

(Rajani Dubey)

Judge

Khan