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(2019) 05 CHH CK 0032

Chhattisgarh High Court

Case No: Miscellaneous Criminal Case (MCRC) No. 3476 Of 2019

Digpal Singh Thakur — APPELLANT

Vs

State Of Chhattisgarh — RESPONDENT

Date of Decision: May 24, 2019

Acts Referred:

- Indian Penal Code, 1860 - Section 34, 420

Hon'ble Judges: Rajani Dubey, J

Bench: Single Bench

Advocate: Ashutosh Shukla, Ravi Bhagat

Final Decision: Allowed

Judgement

Rajani Dubey, J

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.159/2019 registered in Police Station

Balconagar, Korba District Korba for offence under Section 420/34 of the IPC.

2. Case of the prosecution is that the applicant is a Government employee working in Chhattisgarh State Electricity Board. The daughter of the

applicant took a loan of Rs.2 lakhs from complainant Pitambar Sahu which she was to repay with 10% monthly interest till 2017. The daughter of the

applicant paid the EMI till 2017, however, the complainant again started asking for Rs.3 lakhs and also gave warning that if the said amount is not paid,

the applicant and his daughter would be implicated in a false case.

3. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the present offence. He is a

Government employee and few months back he has undergone bypass heart surgery. He is in jail since 8.5.2019.

4. Learned State Counsel would oppose the prayer for grant of bail to the applicant.

5. Considering that the applicant is a Government employee aged about 62 years, as also for the reason that the offence is triable by the Judicial

Magistrate 1st Class, this Court is inclined to release the applicant on bail.

6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.25,000/-

with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given

by the said Court.