

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3363 OF 2015**

Durgeshwar Dubey @ D.D. Son of Jagat Narayan Dubey, aged about 25 years, R/o J.M.Q. Colony, Quarter No. 72, P.S. and Tahsil Vishrampur, District Surajpur (C.G.)

---Applicant

Versus

State of Chhattisgarh, Through: The Station House Officer, P.S. Berla, District Bemetara (C.G.)

---Non-applicant

For Applicant	:	Mr. Rajeev Kumar Dubey, Advocate.
For-Non-applicant	:	Mr. Siddarth Rathore, Dy. Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****20/07/2015**

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 in connection with Crime No. 203/2014, registered at Police Station Berla, District Bemetara (C.G.), for the offence punishable under Sections 420, 467, 468, 471/34 of Indian Penal Code.

2. Case of the prosecution, in brief, is that, applicant along with other co-accused persons obtained Rs. 2 Lakhs from the complainant and others in order to secure employment in AIMS hospital, Raipur.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in the case. He would further submit that it is Yashwant and Hitendra, who have committed offence and taken the amount and there is no offence in entire charge sheet

filed against him. He would further submit that there is no useful purpose would be served by keeping him in jail. He would lastly submit that charge sheet has been filed and applicant is in jail since 06/04/2015, therefore, he may be released on bail.

4. Learned State counsel would oppose the prayer for grant of bail.

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

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; and the fact that bail application of co-accused person has already been rejected, this Court is not inclined to release the applicant on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE