

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3681 of 2015**

- Prateek Jain, S/o Shri Devendra Jain, aged about 30 years, R/o. Opposite Jain Mandir Charoda, P.S. - Supela, District-Durg (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through: S.H.O., P.S. Tarbahar – Bilaspur (C.G.)

---- Non-applicant

For Applicant:	Mr. Sourabh Dangi, Advocate.
For Respondent/State:	Mr. Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****04/08/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 131/2015 registered at Police Station – Tarbahar, District Bilaspur for the offence punishable under Section 420/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that the applicant and one co-accused person cheated the unemployed persons by selling thirty five prospectus for persuading the candidates to take admission in their Institution for the purpose of aviation training and thereby committed the aforesaid offence.

(3) Learned counsel appearing for the applicant would submit that the applicant is innocent person and he has falsely been implicated in the crime in question. He would further submit that co-accused – Harshika Rao has already been granted regular bail by this Court vide order dated 07/07/2015 in M.Cr.C. No. 3099/2015 and, therefore, the present applicant may also be entitled for bail on the ground of parity.

(4) On the other hand, learned counsel for the State, after verifying the records, would submit that present case is similar to that of accused person, who have already been granted regular bail by this Court vide order dated 07/07/2015 in M.Cr.C. No. 3099/2015.

(5) Considering the totality of the facts, in particular, the facts that co-accused person has already been granted regular bail by this Court vide order dated 07/07/2015 in M.Cr.C. No. 3099/2015; and the applicant is in jail since 04.06.2015; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one 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 them by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-