

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6907 of 2015

- Krishna Sahu S/o Chatur Sahu Aged About 38 Years (Wrongly Mentioned Chatur Bisahu), R/o Karesara, Police Station Bodla, Tehsil Bodla, Civil & Revenue District Kabirdham Chhattisgarh --- **Petitioner**

Versus

- The State of Chhattisgarh Through: Police Station Bodla, District Kabirdham, Chhattisgarh --- **Respondent**

For the applicant	:	Mr. P.P. Sahu, Advocate
For the Respondent	:	Mr. Ramakant Mishra, Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14.12.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 130 / 2015 registered at P.S. Bodla, District Kabirdham for the offence punishable under Sections 419 & 420/34 IPC.
2. Case of prosecution, in brief, is that the complainant Santosh Sahu was introduced by this applicant to one Dhanmantri Sahu to whom, the complainant has paid an amount of Rs.3,30,000/- to get the job of constable in police Department. Subsequently when the job could not be provided, a report was made and the applicant was taken into custody.
3. Learned counsel for the applicant submits that the entire payment was made to Dhanmantri Sahu, for which an agreement was also executed between Dhanmantri Sahu and the complainant and this applicant has only introduced Dhanmantri Sahu and no allegation of payment of amount is

made against this applicant. Therefore, considering the allegations, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. Having regard to the facts and circumstances of the case and the allegations levelled against this applicant and further considering the fact that the entire amount was paid to Dhanmantri Sahu for which an agreement (Ekrarnama) was executed between the complainant and Dhanmantri which is filed alongwith the petition, wherein it is stated that Dhanmantri would return the amount as also the fact that the charge sheet has been filed in this case, I am inclined to release the applicant on bail. Accordingly, the application is allowed.
6. The applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court . He is directed to appear before the said Court as and when directed by the said Court.
7. C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**