

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3011 OF 2015**

Prakash Yadav, Aged about 60 years, S/o-Rajaram Yadav, R/o-Behind Jain Mandir, Deepak Nagar, Durg, P.S., Tehsil & District – Durg, Chhattisgarh

---Applicant**Versus**

State of Chhattisgarh, Through – P.S. – Durg, District : Durg, C.G.

---Non-applicant

For Applicant	:	Mr. Pawan Kesharwani, Advocate.
For-Non-applicant	:	Mr. Ramakant Mishra, Dy. Advocate General

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****28/07/2015**

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.410/2013, registered at Police Station-Durg, Distt.Durg (CG), for the offence punishable under Sections 420, 467, 468, 471, 205 and 201/34 of the IPC.

2. Case of the prosecution, in brief, is that, co-accused Bajrang Rajput stood as a guarantor on the basis of Rin Pustika, which was prepared by the present applicant and co-accused Rajkumar Meshra, for obtaining bail of accused Rohit Kumar before the Judicial Magistrate First Class, Durg and thereby committed the aforesaid offence.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and has been falsely implicated in crime in question, he is in jail since 8.5.2013 and trial has not been concluded as yet.

4. Learned State counsel would oppose the prayer for grant of bail and submit that bail application of co-accused Rajkumar Meshram was rejected by this Court vide order dated 25.8.2014 in M.Cr.C.No.3061 of 2014 and case of the present applicant is identical with co-accused Rajkumar Meshram.

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 of co-accused has 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. However, the trial Court is directed to expedite the trial and conclude the same within three months. If the trial is not concluded within the stipulated time, the applicant would be at liberty to repeat the bail application.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

B/-