

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4226 OF 2015**

Bhagwat Singh Nag, S/o Dukhan Ram, aged about 37 years Caste Nagesiya R/o Vill. Surmudapara, Thana Sitapur, District Sarguja (C.G.), present address Vill. Semra, police chowki pandrapat, thana Bagicha, Distt-Jashpur (C.G.) civil and revenue district Jashpur, Distt-Jashpur (C.G.)

---Applicant**Versus**

State of Chhattisgarh, through Station House Officer, P.S. Kunkuri, Distt-Jashpur (C.G.).

---Non-applicant

For Applicant	:	Mr. Manoj Chauhan, Advocate.
For-Non-applicant	:	Mr. Ramakant Mishra, Dy. Advocate General

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****24/08/2015**

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. 94/2015, registered at Police Station Kunkuri, District Jashpur (C.G.), for the offence punishable under Sections 420, 468 & 34 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that, applicant claimed to have duly recognized Nursing College to impart Nursing courses and obtained Rs.4,18,750/- as admission fee and examination fee from various students.
3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in the case as the applicant's Nursing College is duly recognized by the Government. He would

further submit that charge sheet has been filed and applicant is in jail since 07/06/2015, therefore, he may be released on bail.

4. Learned State counsel would oppose the prayer for grant of bail and submit that Institution of the applicant is not affiliated by the C.G. Nursing Council and he cheated the complainants by obtaining huge money, therefore, he is not entitled to be released on regular 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 manner, in which, applicant is said to have obtained huge money from students for admission in the Nursing College, 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