

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C.No.4711 of 2015**

Rahul alias Vinod Porte, aged about 25 years, S/o. Shri Panchram Porte, R/o. Bhatgaon, P.S. Jevra Sirsa, District Durg (CG)

**---Applicant****Versus**

State of Chhattisgarh, Through Officer-in-Charge, Police Station Pulgaon, District Durg (CG)

**---Non-applicant**


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|-------------------|---|--------------------------------------|
| For Applicant     | : | Mr. Shishir Dixit, Advocate          |
| For Non-applicant | : | Mr. Neeraj Jain, Government Advocate |

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**Hon'ble Shri Justice Sanjay K. Agrawal****Order on Board****15/09/2015**

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.382/2012, registered at Police Station-Pulgaon, District-Durg (C.G.), for the offence punishable under Section 420/34 of the IPC.
2. Case of the prosecution, in brief, is that from 27.7.2012 to 1.8.2012 the applicant and three co-accused persons obtained Rs.1,75,000/- complainant Sohara Dewangan to treat her and cure her with the disease which she was suffering and thereby committed the aforesaid offence.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that co-accused have been released on bail. The applicant is in jail since 9.5.2015, charge-sheet has already been filed and therefore, he may be enlarged on bail.
4. On the other hand, learned counsel for the State would oppose the

bail application.

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; role of the present applicant; the manner in which he obtained money from the complainant and did not co-operate in investigation and trial, this Court is of the opinion that present is not a fit case, in which, the applicant should be enlarged on regular bail.

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

8. Certified copy as per rules.

**Sd/-**

**(Sanjay K. Agrawal)**  
**JUDGE**

B/-