HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5746 of 2015

Chandra Kant Chandra, S/o. Shri Ram Kirtan Chandra, Aged About 26 Years, R/o. Adarsha Nagar, Kusmunda, Tahsil Katghora, Civil & Revenue District Korba, Chhattisgarh..

---- Applicant

Versus

State Of Chhattisgarh, Through: Station House Officer, Out Post- CSEB Korba, District Korba, Chhattisgarh.

---- Respondent

For Applicant : Mr. Nitesh Shrivas, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

02/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.226/2015 registered at Police Station- Out Post CSEB Korba, P.S. Kotwali, Korba, District Korba (C.G.) for the offence punishable under Sections 420, 467, 468, 34 of the Indian Penal Code.

2. Case of the prosecution is that the present applicant alongwith one Darasingh admitted 21 students in I.T.I. Electrical Branch but did not provide result for the year 2013-2014 though admission fee were taken from them and thereby committed the aforesaid offences.

3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since 27.05.2015. He further submits that the another co-accused namely Darasingh Kuldeep has already been enlarged on bail by

the coordinate Bench of this Court in M.Cr.C. No.4762/2015 on 06.10.2015, therefore, the present applicant may also be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail; however, he do not oppose the fact that the similarly placed co-accused has been enlarged on bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Having regard to the fact that the applicant is in jail since 27.05.2015 and also the fact that the similarly placed co-accused Darasingh has already been enlarged on bail by the coordinate Bench of this Court, I am inclined to release the applicant on bail.

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

8. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Ashok