

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3389 of 2015**

- Makhan Sahu S/o Late Ganga Ram Sahu Aged About 54 years
R/o Village - Bhalega, Police Station Arang, District Raipur
Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Fingeshwar
District Gariyaband Chhattisgarh

---- Non-applicant

For Applicant: Shri Mohammad Afroz Athar, Advocate.
For Non-applicant/State: Shri Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****20/07/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 06/2015 registered at Police Station Fingeshwar, Civil & Revenue District Gariyaband for the offences punishable under Sections 420/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that, applicant & other co-accused persons is alleged to have obtained Rs.15,00,000/- from the complainants in order to secure employment for them on the post of Clerk in the Department of Health and, thereby, committed the

aforesaid offences.

(3) Counsel for the applicant submits that applicant has falsely been implicated in the offence in question as he has not committed any offence. He further submits that two similarly situated co-accused persons have already been enlarged on bail and, as such, he is in jail since 02-04-2015; and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State submits that applicant has two criminal antecedents and, therefore, the applicant is not entitled to be released on bail.

(5) Taking into consideration the facts & circumstances of the case; and the manner in which applicant & other co-accused persons alleged to have obtained ₹ 15 lakhs from the complainant in order to secure employment for them; I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-