

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6461 of 2015

1. Gopal Verma, S/o. Shri Tejbahadur Verma, aged about 30 years, R/o. Barhalganj, Mahadev Mohalla Machli Mandi, Patna Chouraha, P.S. Barhalganj, District – Gorakhpur, Civil and Revenue District – Gorakhpur (U.P.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : District Magistrate, District – Durg (C.G.)

---- Respondent

For Applicant	:	Mr. Avinash Chand Sahu, Advocate
For Respondent/State	:	Mr. Ramakant Mishra, Dy.A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

01/12/2015

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.449/2015, registered at Police Station – Chhawani, District – Durg (C.G.) for the offence punishable under Section 420, 34 of I.P.C.
2. Case of the prosecution, in brief, is that some persons have published an advertisement to provide job in HDFC Bank and pursuant thereto complainant submitted his documents and also deposited Rs.2250/- and the receipt was also issued to the complainant and the same was done with an object to cheat the complainant.
3. Learned counsel for the applicant would submit that the applicant was working in a placement agency and no fraud was committed as on the

next date, the report was made. He would further submit that the applicant is in jail since 12.08.2015 and the charge sheet has been filed. He would further submit that similarly placed co-accused has been released on bail in M.Cr.C. No. 5624/2015 vide order dated 27.10.2015, therefore, he prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application, however, after verification do not able to dispute 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. Considering the fact that similarly placed co-accused has been enlarged on bail by this Court in M.Cr.C.No.5624/2015 vide order dated 27.10.2015, this Court is of the opinion that present is 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 allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the 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