

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6488 of 2015

Raghaw Prasad Singh, S/o. Late Ramasheesh Prasad Singh, Aged About 43 Years, (as per charge sheet correct name is late Ram Aashish Prasad Singh) R/o. Laxmi Nagar, Supela Bhilai, P.S. Supela, Distt. Durg, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through its Police Station- Supela, Civil & Revenue District - Durg (Chhattisgarh)

---- Respondent

For Applicant : Mr. Ravi Maheshwari, Advocate

For Respondent : Mr. O.P.Sahu, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

15/12/2015

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.864/2015, registered at Police Station– Supela, District Durg (C.G.) for the offence punishable under Section 420, 506 of Indian Penal Code and under Section 3/4 of Enami Cheet Fund Scheme.
2. Case of the prosecution, in brief, is that the applicant collected an amount of Rs.20,000/- each from different 40 persons alongwith the complainant and it was stated that the amount will be given to a person in whose name draw is made. Subsequently, when the complainant's name was chosen, he was only paid Rs.10,900/- and rest of the amount was not disbursed and a blank cheque was obtained from the complainant.

3. Learned counsel for the applicant submits that it was like a one time payment to be made and no offence has been committed by the applicant. He further submits that the compromise petition was also filed by the complainant, however, it was refused. It is further submitted that the charge sheet has been filed and the applicant is in jail since 20.09.2015, therefore he may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail; however, he do not dispute the fact that the complainant has filed the compromise petition.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the fact and the nature of allegation made and the fact that the certified copy shows that the complainant filed an application for compromise and taking into fact that the charge sheet has been filed and the applicant is in jail since 20.09.2015, I am inclined to release the applicant on 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