

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C No. 5394 of 2015**

Rajendra Kumar @ Billu Gupta, S/o Shri Chhotelal Gupta,
aged about 49 years, R/o Village- Ghorda, Thana – Lalbag,
Tahsil/Distt. Rajnandgaon (C.G.)

---- Applicant

Versus

State Of Chhattisgarh through: Police Station- Lalbag,
Distt. Rajnandgaon (C.G.)

---- Non-applicant

For Applicants:	Shri Samir Singh, Advocate
For Respondent/State:	Shri Om P. Sahu, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****12/10/2015**

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. 270/2013 registered at Police Station – Lalbag, Distt. Rajnandgaon for the offences punishable under Sections 420, 467, 468 & 471 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant obtained ₹ 2 lakhs from complainant – Shailendra Kumar in the year 2008 in order to secure his employment in the Railway Department and thereby committed the aforesaid offences.

(3) Learned counsel for the applicant submits that applicant has not committed any offence and he has been falsely implicated in the offence in question. He further submits that similarly situated co-accused Anand Ram Khobragade has been released on bail by this Court by order dated 5.5.2014 passed in M.Cr.C. No.1687/2014 and, therefore, the applicant is also entitled to be released on bail on the ground of parity.

(4) On the other hand, counsel for the State submits that it is the applicant, who has demanded and accepted the money through co-accused Anand Ram Khobragade and his wife for securing employment to complainant – Shailendra Kumar and, therefore, he is not entitled to be released on bail.

(5) Taking into consideration the nature and gravity of the offences; and the fact that case of the present applicant is distinguishable to the other co-accused person, who has been granted bail as the applicant has demanded and accepted the money from complainant for securing employment for the complainant in the Railway Department, I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-