

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 663 of 2016**

Manoj Kumar son of Rajvansh Paswan, aged about 36 years, R/o. Section -11, Quarter No.2-A, Street No.52, Khursipar, Bhilai, District Durg (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh Through: Station House Officer, Police Station, Simga, District Balodabazar-Bhatapara (C.G.)

---- Non-applicant

For Applicant: Mr. Raghvendra Pradhan, Advocate.
For Non-applicant/State: Mr. Dhiraj Kumar Wankhede, GA

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****22/02/2016**

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. 293/2015 registered at Police Station Simga, District Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 420/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant obtained ₹ 7 lakhs to secure job for the complainant's son and thereby cheated him.

(3) Counsel for the applicant submits that applicant has been

falsely implicated in the offence in question as he has not committed any offence. He further submits that applicant is in jail since 01.11.2015; and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail applications.

(5) Taking into consideration the facts & circumstances of the case; further considering the fact that applicant has obtained ₹ 7 lakhs from the complainant to provide employment to his son and thereafter also issued return cheque of the aforesaid amount, which has become dishonoured; and the fact that case of the present applicant is distinguishable to the other co-accused person, who has been granted bail, I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-