

COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C. No. 2435 /2016

Vinod Kumar Sahu, S/o. Panch Ram Sahu, Aged About 25 Years,
Occupation Service, R/o. Dadar Khurd, Housing Board Colony, Korba,
P.S. Kotwali, Tahsil Korba, Civil & Rev. Distt. Korba, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Out Post Rampur
Korba, Police Station Kotwali, District Korba, Chhattisgarh.

---- Respondent

For Applicant : Mr. Dharmesh Shrivastava, Advocate

For Respondent : Mr. Sangharsh Pandey, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

12.05.2016

1. This is the third bail application. The first bail application was dismissed as withdrawn on 01.12.2015 and the second bail application was dismissed as withdrawn on 14.03.2016.
2. The instant bail application is 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.417/2015 registered at Police Station– Kotwali, Out Post – Rampur, District Korba (C.G.) for the offence punishable under Section 420, 467, 468, 471, 120-B of Indian Penal Code.
3. Case of the prosecution, in brief, is that the applicant who was working in the Ayurvedic Hospital along-with other co-accused asked Pawan Yadav to call the persons to get the job; consequently, from more than 3-4 persons, an amount was received and they were given appointment letters which were found to be forged. Subsequently, the report has been made.

4. Learned counsel for the applicant would submit that the entire allegation of taking amount is on Rajkumar, the other co-accused, the applicant has not received any amount. He further submits that the another co-accused Pradeep Dewangan has been enlarged on bail by the co-ordinate Bench of this Court on 28.03.2016 in M.Cr.C. No.878 of 2016, therefore, the present applicant may also be enlarged on bail.
5. Per contra, learned State counsel opposes the prayer for grant of bail and would submit that the applicant in connivance with the other co-accused has deceived different persons to get them employment in the Ayurvedic Hospital and received different amount out of which the applicant has also received certain part, therefore, he submits that the applicant may not be enlarged on bail.
6. Perused the case diary and the memorandum, which shows that certain documents and seals were seized from the house of this applicant. Considering the nature of offence, it appears that the applicant was directly involved in the commission of crime and received the amount to provide job to the persons and part of the amount was also received by him. Considering the allegation against this applicant, the case of this applicant is different from that of Pradeep Dewangan who has been enlarged on bail, as he is only attested certain papers whereas this applicant was also a part of manufacturing of the false appointments. Therefore, under these circumstances, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge