

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2653 of 2016

- Vishal Sahu S/o Shri Suresh Sahu Aged About 20 Years R/o Village Sakrar, Tahsil & P.S. Mouranipur, (Revenue & Civil) District Jhansi, Uttar Pradesh. --- **Petitioner**

Versus

- State of Chhattisgarh Through Station House Officer, Civil Lines, District Bilaspur, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. M.D. Dhote, Advocate
For the Respondent	:	Ms. Shobha Kashyap, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

27.06.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 235 of 2016 registered at P.S. Civil Lines, Bilaspur Distt. Bilaspur (C.G) for the offence punishable under Section 420, 120-B, 34 of IPC.
2. As per the prosecution case, the applicant along-with other co-accused talked with complainant Kneerja Fatima by mobile phone and informed that the name of the complainant was drawn in lucky draw and she has received prize of Idea Company and at the instance of the applicant and other co-accused, the complainant deposited Rs.15000/- in the account of present applicant and Rs.24000/- in the account of other person and other different amounts were also paid to different co-accused.
3. Learned counsel for the applicant submits that the offence u/s 420 IPC has been compounded before the Court of CJM which would be evident from the order dated 15.06.2016 and

therefore, no offence survives now as independently the offence u/s 120B of IPC cannot be survived.

4. Learned State Counsel do not dispute the fact that the applicant has entered into compromise u/s 420 IPC which has been permitted by the CJM, Bilaspur.
 5. Considering the order dated 15.06.2016 which is certified copy of the order sheet whereby the offence u/s 420 IPC is permitted to be compounded, which is not disputed by the learned State Counsel as also the fact that the charge sheet in this case has already been filed and the applicant is stated to be in jail since 15.04.2016, I am inclined to release the applicant on bail.
 6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.
- C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**