

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3125 of 2016

Sanju Das, S/o. Late Devdas Mahant, Aged About 37 Years, Caste Panika, R/o. Village Gevra, Police Station Kusmunda, Tahsil Katghora, District Korba, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Kusmunda, District Korba, Chhattisgarh

---- Respondent

For Applicant : Mr. V.R.Tiwari, Advocate

For Respondent : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30.06.2016

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.58/2016 registered at Police Station Kusmunda, District Korba (C.G.) for the offence punishable under Section 120-B, 384, 420, 166 of Indian Penal Code.
2. Case of the prosecution, in brief, is that one Sukhlal Sidar and Pradeep Yadav, who is working in the Police went to the house of the complainant Ramcharan Kewat and demanded money on the ground that her ex-wife with whom certain litigation is pending has lodged a report for which the complainant would be arrested, therefore, the complainant on such fear went to the Bank and withdrew an amount of Rs.1,60,000/- and paid to Sukhlal Sidar and Pradeep Yadav and the allegation against this applicant is that the withdrawal form was filled up by this applicant Sanju Das and

thereby it is alleged that the applicant has conspired with the police officials to withdraw the amount.

3. Learned counsel for the applicant submits that the other co-accused have been enlarged on bail by this Court on 22.06.2016 in M.Cr.C. No.2979 of 2016 and only allegation against this applicant is that he has filled up the withdrawal form and the entire allegation of taking money is upon Sukhlal Sidar and Pradeep Yadav, therefore, the applicant may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case and the degree of allegation leveled against this applicant and further considering the fact that the charge sheet has been filed and the applicant is in jail since 22.04.2016, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the 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.

Sd/-
(Goutam Bhaduri)
Judge