

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3218 of 2016

1. Kapildev Vare, S/o. Poshrum Vare, aged about 24 years, R/o. Village – Singhanpur, P.S. - Kosir, Tahsil – Sarangarh, District – Raigarh (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Station House Officer, Out Post Chowki Rampur, Police Station – Kotwali, District – Korba (C.G.)

---- Respondent

For Applicant : Ms. Pritha Ghoshal, Advocate

For Respondent/State : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

29/06/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.546/2015, registered at Police Station – Out Post Chowki – Rampur, Kotwali, District- Korba (C.G.) for the offence punishable under Section 420, 467, 468, 471, 120-B, 201 of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made that the applicant along with one Vinod Khande allured the complainant and recovered an amount of Rs.5.00 lakhs to get him appointed along with his sister and thereafter the money was paid in installments to the applicant and other co-accused, Vinod Khande.
3. Learned counsel for the applicant submits that the incident is of 2014 and the report was made on 11.12.2015 and the main allegations have been attributed to Vinod Khande. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail since

12.12.2015 and no further evidence is required, therefore, under the facts and circumstances, the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application and would submit that bail of the similarly placed co-accused has been dismissed by this Court vide order dated 15.06.2016 in M.Cr.C.No. 2874/2016 and the case of the applicant is not better than that of other person, whose bail application is rejected, therefore, the applicant may not be released on bail.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the statement. After going through the statement, wherein allegations have also been attributed against this applicant and considering the way the offence has been committed and the amount has been demanded from unemployed person to get them job, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge