

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3636 of 2016

Nohit Kumar Saket, S/o. Ramnath Saket, Aged About 48 Years, R/o. Village Durumgarh, Police Station Sarsiwa, District Baloda Bazar-Bhatapara, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Of Police Station Sarsiwa, District Baloda Bazar - Bhatapara, Chhattisgarh.

---- Respondent

For Applicant : Mr. Anil Gulati, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

01.08.2016

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.61/2016 registered at Police Station- Sarsiwa, District Baloda Bazar-Bhatapara (C.G.) for the offence punishable under Section 420 r/w 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant along-with other co-accused in order to provide Government job collected Rs.2,10,000/- from complainant Punnuram, but subsequently job could not be provided to him and thereby the aforesaid offence was committed.
3. Learned counsel for the applicant would submit that the applicant has not received the amount and infact the applicant had advanced money to the complainant which was not being returned and in

order to avoid the same, the false report has been made; therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail and would submit that in the meeting which was held in the village, it was admitted by the applicant that he has received the amount, therefore, he may not be enlarged on bail.
5. Perused case diary and the documents. Considering the facts and circumstances of the case and the fact that as much as Rs.10 Lacs has been received from different persons and further taking into fact that the bail application of the similarly placed co-accused has been dismissed, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge