

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3625 of 2016

Gajendra Sharma, S/o. Late Ramesh Sharma, Aged About 42 Years, R/o.
Mission Road, Korba, Tahsil & District Korba, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Out Post Rampur,
P.S. Kotwali, Korba, Chhattisgarh.

---- Respondent

For Applicant : Mr. Shailendra Dubey, Advocate

For Respondent : Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

27.07.2016

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.417/2015 registered at Out Post Rampur, Police Station Kotwali, Korba (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 120-B/ 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that one Tanuj Kumar Vaishnav lodged a complaint on 19.10.2015 against co-accused Pawan Kumar alleging that Pawan Kumar has assured him of arranging employment in Ayurvedic Hospital on payment of Rs.1.50 Lacs. The complainant initially paid Rs.40,000/- to Pawan Kumar and the remaining amount was paid subsequently in installments. Pawan Kumar thereafter handed over one forged letter of appointment for which joining was not possible. On complaint made by Tanuj Kumar Vaishnav another forged letter of appointment was handed over to him. However, yet again his joining did not materialize. When

Pawan Kumar was interrogated by the police, he named the present applicant as the person who was operating the plan and according to Pawan Kumar this applicant has provided forged seal.

3. Learned counsel for the applicant would submit that the similar allegation of providing forged mark-sheet was on Rajkumar Sharma and he has been enlarged on bail by the co-ordinate Bench of this Court on 16.05.2016 in MCRC No.2169 of 2016 and the case of the present applicant is similar to that of the person who has been granted bail, therefore, the present applicant may also be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he do not dispute the fact that the similarly placed co-accused has been enlarged on bail.
5. Perused the case diary and the documents. Considering the fact that the similarly placed co-accused has been enlarged on bail by the co-ordinate Bench of this Court, 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