

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4085 of 2016

- Lallan Das S/o Shri Thakur Ram Aged About 35 Years R/o Village Bade Kalua, Police Chowki Batra Podi, P.S. Khargawa, Civil & Revenue District Korea, Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through Station House Officer Premnagar, Civil & Revenue District Surajpur, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Sakti Raj Sinha, Advocate
For the Respondent	:	Mrs. Shobha Kashyap, Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.07.2016

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. 11/2016 (wrongly mentioned as 111/2016) (Criminal case No.610 of 2016) registered at P.S. Premnagar, Surajpur (C.G) for the offence punishable under Sections 420, 467, 468, 471/34 of IPC.
2. As per the prosecution case, the applicant along-with other co-accused has received an amount of Rs.2,50,000/- from complainant Jodhan Das with an assurance that it will be deposited in some Scheme floated by the State Bank of India, thereby the amount would be doubled. However, the amount has not been deposited and the complainant has been defrauded, thereby the offence is committed.
3. Learned counsel for the applicant submits that similarly placed co-accused Madhusudan Sarkar has been enlarged on bail in M.Cr.C.No.3071 of 2016 and the case of the applicant is more better than that of co-accused who has been

released on bail. He further submits that charge sheet in this case has been filed and no further investigation is necessary, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary as also the statement of the complainant.
6. Considering the fact that the charge sheet in this case has been filed; no further investigation is necessary and the applicant is stated to be in jail since 08.02.2016 and all the evidence available in this case are documentary in nature as also considering the fact that other co-accused Madhusudan Sarkar has been granted bail by this Court in M.Cr.C.No. 3071/2016, I am inclined to allow this bail application.
7. 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