

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4597 of 2016

Dilip Kumar Patel, S/o Khamhan Patel Aged About 26 Years R/o Village Ghatidwari, Tahsil Kartala, P.S. Urga, District Korba, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh Through Police Station Champa, District Janjgir Champa, Chhattisgarh.

---- Respondent

MCRC No. 4598 of 2016

Anil Kumar Yadav S/o Santram Yadav Aged About 23 Years R/o Village Puraina, Tahsil Kartala, P.S. Urga, District Korba, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh Through Police Station Champa, District Janjgir Champa, Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. Vikash Pandey, Advocate
For Respondent/ State	:-	Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

17/08/2016

1. These are two bail applications filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No. 129/2016 registered at Police Station- Champa - District Janjgir Champa (C.G.) for the offence punishable under Sections 420,506-B, 34 of Indian Penal Code.
2. Since both these bail applications are arising out of the same crime number they are being disposed of by this common order.

3. As per the prosecution, a report was made by complainant Narayan Prasad Ketwat on 13.04.2016 that while he was coming back with disabled sister Budhwari Bai, the applicants along with one Hari Charan met them and stated that they will get them job in SBI. Subsequently, Rs. 70,000/- was paid by Narayan Prasad and Rs. 22,000/- was paid by Budhwari Bai on different dates. However, the services could not be provided and the report was lodged.
4. Learned counsel for the applicants would submit that the entire allegations were made against Hari Charan and not against these applicants as subsequently the amount was paid to Hari Charan and not to the present applicants, therefore, they have been falsely implicated. He further submits that the amount has not been recovered from the present applicants, therefore, they may be enlarged on bail.
5. Per contra State counsel opposes the bail.
6. Perused the statements of Narayan Prasad and Budhwari Bai complainants wherein it is stated that the applicants along with other accused allured them to provide job and consequently the amount was handed over to one of the accused. Considering such statements and the way the offence has been committed, I am not inclined to allow these bail applications.
7. Accordingly, both the bail applications filed under Section 439 of Cr.P.C. are rejected.

Sd/-
(Goutam Bhaduri)
Judge