

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3991 of 2016

1. Mahesh Gupta, S/o. Harishankar Gupta, aged about 30 years, R/o. Uttam Nagar, Indira Park, Delhi.

----Applicant

Versus

1. State of Chhattisgarh, Through : SHO, P.S. - Azad Chowk, District – Raipur (C.G.)

---- Respondent

For Applicant : Mr. Awadh Tripathi, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

25/07/2016

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.73/2014, registered at Police Station – Azad Chowk, District – Raipur (C.G.) for the offence punishable under 306, 420, 120-B of Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant along with other co-accused Amit had published an advertisement to provide job and lieu thereof, the deceased Abhay Jain deposited Rs.3.00 lakhs in the account of the present applicant and other co-accused Ranjeet. Thereafter, when the job was not provided, the money when was asked back, the deceased was refused to repay back, therefore, he committed suicide.
3. Learned counsel for the applicant submits that one Amit had opened the job agency and the deceased had paid the amount,

which was not denied, however, to the choice of the deceased job was not available as such, he was not provided the job and there is no fraud has been played. It is submitted that charge-sheet in this case has been filed and the applicant is in jail since 30.05.2016, therefore, the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused case diary, memorandum statement as also the suicide note of the deceased. Considering the same it appears that the applicant along with other co-accused has received the amount to provide job to the deceased and when the job was not provided and the amount was not repaid back, therefore, he committed suicide. Considering the nature of allegation and the way the organized crime has been done, 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