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HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5015 of 2016

Vijay Meshram, S/o. Niranjan Lal Meshram, aged about 28 years, R/o. Durpa Road, Korba, Tahsil/District – Korba (C.G.)

----Applicant

Versus

State of Chhattisgarh, Through : Thana – Kotwali, District – Korba (C.G.)

---- Respondent

AND

M.CR.C. No. 5080 of 2016

Vijay Meshram, S/o. Niranjan Lal Meshram, aged about 28 years, R/o. Durpa Road, Korba, Tahsil/District – Korba (C.G.)

----Applicant

Versus

State of Chhattisgarh, Through : Thana – Kotwali, District – Korba (C.G.)

---- Respondent

For Applicant : Mr. Samir Singh, Advocate

For Respondent/State : Ms. Shobha Kashyap, Dy. Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30/08/2016

1. These are the first bail applications 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 Nos.177/2016 and Crime No.176/2016, registered at Police Station – Kotwali, District- Korba (C.G.) for the offence punishable under Section 420 of Indian Penal Code.

2. Case of the prosecution, in brief, is that a report was made by one Atmaram Yadav, the complainant alleging that present applicant, who is the peon in the District Education Office, allured the complainant to get the job of Patwari to the complainant and subsequently an amount of Rs.2,31,000/- was paid to the applicant, however, no job was given. Further complaint was also made by one Devnarayan Sahu alleging that the applicant has received an amount of Rs.2,05,000/- to provide the job of Patwari to him, subsequently, the job was not provided and ultimately, the report was made. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. It is further submitted that except the oral statements of the complainant, no evidence is on record to show that the amount was paid to the applicant and only the false allegations have been attributed. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail since 22.04.2016, therefore, the counsel prayed that 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 the case diary, documents and the statements. Perusal of the statement would show that categorical allegations have been attributed against the applicant by both the complainant namely Aatma Ram Yadav and Devnarayan Sahu. Considering the

statement of both the complainant and the statement of witnesses before whom, the money was paid to the applicant, I am not inclined to release the applicant on bail.

7. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Balram