

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7707 of 2015

- Nitesh Kumar S/o Dayashankar Rai Aged About 24 Years R/o Village Narki Post & District Balicha U.P. Presently residing at Shardapara, Milan Chowk, Bhilai, District - Durg Civil & Revenue District Durg Chhattisgarh
--- **Petitioner**

Versus

- State of Chhattisgarh Through : Police Station Chhawani Durg Chhattisgarh
--- **Respondent**

For the applicant	:	Mr. Avinashchand Sahu, Advocate.
For the Respondent	:	Ms. Sunita Jain. Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

18.01.2016

1. This is an application filed u/s 439 of the Code of Criminal Procedure seeking granting of regular bail to the applicant in connection with Crime No. 449 of 2015 registered at Police station Chhawani, Distt. Durg (C.G) for the offences punishable under sections 420/34 of IPC.
2. As per the prosecution case, one Satnu Verma has lodged a written complaint before the Police Station Chhawani that some persons have published an advertisement to provide job in HDFC Bank and pursuant thereto complainant submitted his documents as also deposited Rs.2250/- and the receipt was also issued to the complainant.
3. Learned counsel for the applicant submits that that the applicant was working in a placement agency and no fraud was committed as on the very next date, the report was made, therefore, he has been falsely implicated in this case. He further submits that the charge sheet in this case has been filed and the applicant is in jail since 13.08.2015, therefore, he prays for releasing the

applicant on bail.

4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Taking into the nature of offence and the degree of allegations levelled against the applicant and since the evidence collected in this case is documentary evidence in nature as also considering the fact that that the charge sheet in this case has been filed and looking to the detention period of the applicant as he is stated to be in jail since 13.08.2015, I am inclined to release the applicant on bail.
6. Accordingly, this bail petition is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He shall appear before the trial Court as and when directed by the said Court.
7. Cc as per rules.

Sd/-
GOUTAM BHADURI
JUDGE