

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 744 OF 2016**

Vimal Karmkar, S/o Shri Chandan Karmkar, aged 21 years, R/o Shiv Nagar, Mathpuraina, PS Tikrapara, Civ. & Rev. Dist. Raipur (C.G.)

---Applicant**Versus**

State of Chhattisgarh, through P.S. Khamtarai, Civ. & Rev. Dist. Raipur (C.G.)

---Non-applicant

For Applicant	:	Mr. Devershi Thakur, Advocate
For-Non-applicant	:	Mr. Dilmanrati Minj, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****29/02/2016**

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. 431/2014, registered at Police Station Khamtarai Dist. Raipur (C.G.), for the offence punishable under Sections 420, 467, 468, 471, 120-B of

IPC.

2. Case of the prosecution, in brief, is that a vehicle was registered on 26/04/2012 for which e-challan was deposited of Rs. 4,55,847/-. Subsequently, amount did not match and on the basis of e-challan car of one Ganesh Prasad was registered as C.G. 04/HE-0111. Subsequently, e-challan did not match with the treasury challan and on inspection of treasury challan it was recovery that amount of Rs.4/- and Rs.1/- was deducted from the account of Pravin Kumar Hota who was also working with another agent Amit Masih. Further it is case of prosecution that Pravin Kumar Hota was working as partner of Amit Masih who was working as RTO agent and used to sit at office situated at Pancpedi Naka, therefore Pravin Kumar Hota along with other co-accused and the cashier of the RTO has committed forgery with the Government account and instead of Rs. 4,55,847, Rs.5/- only was paid.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has

been falsely implicated in the case. He would further submit that applicant was only helper of the main accused Amit Masih. He would further submit that similarly situated co-accused Ashish Agrawal granted regular bail by co-ordinate Bench in M.Cr.C.No. 7594/2015 on 14/01/2016. He would further submit that no useful purpose would be served by keeping him in jail. He would lastly submit that charge sheet has been filed and applicant is in jail since 17/11/2015, therefore, he may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the applicant and the evidence available in the case diary, this Court is not inclined to release the applicant on regular bail.

7. Accordingly, bail application filed under Section

439 of the Cr.P.C. is rejected.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

Tiwari