

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2675 of 2016

1. Vijay Kesharvani, aged 33 years, S/o. Pawan Kesharwani, R/o. Bhoghapara Shivrinarayan, P.S. - Shivrinarayan, Tah. - Navagarh, District- Janjgir-Champa (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : District- Magistrate, Janjgir, District- Janjgir-Champa (C.G.)

---- Respondent

For Applicant	: Mr. V.C. Ottalwar, Advocate along with Mr. Akhtar Hussain, Advocate
For Respondent/State	: Mr. Neeraj Sharma, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

21/06/2016

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.117/2016, registered at Police Station – Janjgir, District – Janjgir-Champa (C.G.) for the offence punishable under Section 419, 420, 384, 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant along with other co-accused called up the complainant, Gokul Prasad Jaiswal and demand Rs.50,000/- on the ground that he has procured the employment by forged documents and on the basis of that on investigation, the case was registered.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and earlier two cases were registered under different sections of IPC, the applicant has been acquitted and copy of

the acquittal order is filed as Annexure A/2 dated 10.04.2014 and 02.06.2015. It is submitted that charge-sheet in this case has been filed and the applicant is in jail since 14.03.2016, therefore, the counsel prays 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 and the documents. Charge-sheet in this case has been filed. Considering the facts and circumstances of the case, nature and gravity of the offence and the allegation levelled against the applicant, charge-sheet in this case has been filed and the applicant is in jail since 14.03.2016, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge