

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1842 OF 2016**

Jagdish Prasad Sharma son of Rajendra Prasad Sharma
aged about 59 years resident of village Akrajan Police
Station Khairagarh at present resident of Shankar Nagar
Kumhari Police Station Kumhari District Bemetara (C.G.)

---Applicant**Versus**

State of Chhattisgarh, through the Station House Officer
Police Station Nawagarh, District Bemetara (C.G.).

---Non-applicant

For Applicant	:	Mr. Vipin Singh, Advocate
For-Non-applicant	:	Mr. Dilmanrati Minj, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****06/04/2016**

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. 14/2014, registered at Police Station Nawagarh, District Bemetara (C.G.), for the

offence punishable under Section 420 of I.P.C.

2. Case of the prosecution, in brief, is that, applicant obtained Rs. 2 Lacs from the complainant to secure employment and thereby committed aforesaid offence.

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 there is delay of two years in lodging of FIR and there is no document showing that the complainant has given money to the applicant. He would lastly submit that charge sheet has been filed and applicant is in jail since 04/02/2016, therefore, he may be released on bail.

4. 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; evidence

of Beenu Singh Netam, father of the complainant; other evidence available and the manner in which the amount was taken for securing employment to the complainant, 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