

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3001 of 2016

Akhilesh Swaroop Sharma, S/o. Late S.P. Sharma, aged about 42 years,
R/o. Shop No. 735, behind Shiv Mandir, Sector -06, C Market, Police
Station Bhilai Nagar, Tahsil and District Durg (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through Police Station Bhilai Nagar, District Durg
(C.G.)

---- Respondent

And

MCRC No. 2960 of 2016

1. Lakshman, S/o Shri Jhagru Udiya Aged About 34 Years R/o Zone -2,
Jhoperpatti, P.M.I. Charoda, P.S. - G.R.P. Charoda, District - Durg
Chhattisgarh.
2. M. Ramarao S/o Late Shri M. Chandrashekher Aged About 39 Years R/o
Zone-2, Charoda, 290, D.K. Bajju Jhopdi, P.S. - G.R.P. Charoda, District -
Durg Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer, Bhilai Nagar,
District Durg Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. B.P. Singh, along with Mr. Yogesh Pandey, Advocates
For Respondent/ State	:-	Mr. Neeraj Kumar Sharma, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

22/06/2016

1. This is the first bail application filed under Section 439 of the Code
of Criminal Procedure for grant of regular bail to the applicants
who have been arrested in connection with Crime No. 139/2016

registered at Police Station- Bhilai Nagar, District – Durg (C.G.) for the offence punishable under Sections 420,467,468,470,471,34 of Indian Penal Code.

2. The prosecution case, in brief, is that the applicants in order to provide job in Police Department obtained different amounts from the complainants, however, the job could not be provided as such initially the report was made on 20.01.2016 by the four persons namely Soman Lal Gayakwad, Chetan Lal Gayakwad, Jitendra and Nikhil Chandra. Subsequently, the FIR was lodged on 01.03.2016 by Soman Lal Gayakwad, thereby the offence has been committed.
3. Counsel for the applicants would submit that as per the memorandum statement of Akhilesh Swaroop would show that it is money transaction *inter se* between the parties and no amount was received to provide the job, therefore, the entire allegations made before the Court are false. Counsel appearing for Lakshman and M. Ramarao, would submit that only the allegation is that they were running photo shop wherein certain talks were made before them for purchase of NGO and nothing more than that are on record, therefore, the applicants may be enlarged on bail.
4. Learned State counsel opposes the prayer for grant of bail and submits that apart from four complainants there are the statement of Bundeshwar Gendre and other persons which would show that the applicants have obtained money from different persons to provide them job in Police Department, however, the job could not be provided, therefore, the applicants should not be released on bail.
5. Perused the case diary and the statement. Taking into the fact that the applicants jointly in connivance with each other have obtained

different amounts to provide job to the complainants and others in Police Department, this Court is of the opinion, that present is not a fit case, in which, the applicant should be enlarged on bail.

6. Accordingly, the bail applications is dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Santosh