

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3263 of 2016

- Kishore Kumar Sharma S/O Ramsharam Sharma Aged About 48 Years R/O Shivni, P.S. Janjgir At Present Kailash Nagar, Birgaon, Distt. Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Piparia, Distt. Kabirdham Chhattisgarh.

---- Respondent

For Applicant : Mr. Ajay Ayachi, Advocate.

For Respondent/State : Mr. O.P. Sharma, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

18-07.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 31-1-2016 in connection with Crime No. 14 of 2016 registered at Police Station Chakarbhata, District Baspur (CG) for the offence punishable under Sections, 420, 467, 468 and 471 of the IPC.
2. As per case of the prosecution, the applicant in order to provide job in Sugar Factory, Bhoramdev, has received Rs.2 lakhs from the complainant, but the said job could not be provided to him and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case and no amount was paid by the complainant He would further

submit that charge-sheet has been filed, the applicant is in jail since 31-1-2016 and no further investigation is required, therefore, he may be released on bail.

4. *Per contra*, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary and other documents.
6. Perused the statement of the complainant in which it has been categorically stated the applicant has taken money from him for providing job.
7. Taking into consideration the facts and circumstances of the case, nature and gravity of the offence, the manner in which the offence was committed and further considering the statement of the complainant and evidence that the applicant has taken money from the complainant for providing job and the appointment was given to the applicant which was subsequently found to be fake, I am not inclined to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C, is liable to be and is hereby dismissed. However, the trial Court is directed to expedite the trial.

Sd/-
(Goutam Bhaduri)
Judge

Raju