

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3478 of 2016

1. Dharmendra Khutel, S/o. Shri Uttam Kumar Khutel, aged about 22 years, R/o. Rissali Sector Ispat Club Near Tanki, 4/c Rissali Sector Police Station – Newai, Durg (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Police Station, Gobra Navapara, District- Raipur (C.G.)

---- Respondent

For Applicant	: Ms. Ranjana Jaiswal, Advocate
For Respondent/State	: Mr. Neeraj Sharma, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

11/07/2016

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.176/2013, registered at Police Station – Gobra, District – Raipur (C.G.) for the offence punishable under Section 409/420/467/468/471/34 of I.P.C..
2. Case of the prosecution, in brief, is that the applicant along with other co-accused persons have received an amount of Rs.1,72,000/- from the complainant, Bhupendra Kumar Chandrakar to provide him job to the post of Branch Manager in C.G. Rajya Sakh Sahkari Samiti and after taking the amount, forged appointment letter was issued. Thereby the offence has been committed.

3. Learned counsel for the applicant submits that bail application No.3279/2014 was considered on the ground that entire amount has been returned by the present applicant and Rahul Dev to the complainant, which was verified by the State, and he was enlarged on bail. Therefore, the counsel prays that the applicant may also 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 order dated 18.07.2014, passed in M.Cr.C. No.3279/2014, wherein bail was extended to Rahul Dev on the ground that amount has been returned to the complainant by Rahul Dev and the present applicant, Dharmendra, which was endorsed by the State counsel. Taking into such fact, 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