

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3827 of 2016

Ramesh Patro, S/o. Late Raghunath Patro, Aged About 44 Years, R/o. House No. A - 105, Jagannath Enclave, Mahaveer Nagar, Telibandha, Post Office - Raipur, Police Station Telibandha, Raipur, District - Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Station House Officer, Police Station - Civil Line, District - Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Shivendu Pandya, Advocate

For Respondent : Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

20.07.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.464/2015 registered at Police Station- Civil Line, District Raipur (C.G.) for the offence punishable under Section 420 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant in the year 2010 in order to provide job in NMDC to the complainant asked Rs.6,00,000/- and Rs.1,50,000/- was paid to the applicant and thereafter at the instance of the applicant subsequent amount of Rs.4,50,000/- was deposited in different accounts of different persons and thereby the offence is committed.
3. Learned counsel for the applicant would submit that the FIR is delayed by six years and the amount was deposited in different accounts not in the account of the applicant and there is no

evidence that the applicant has received Rs.1,50,000/-, therefore, the applicant may be released on bail, as he has been falsely implicated.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the report. In the report, it is stated that Rs.1,50,000/- was paid in cash to the applicant and different amount was also deposited in the account of different persons. Considering the facts and circumstances of the case and the way the amount has been tendered and further considering the fact that there is an enormous delay in the FIR, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the 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.

Sd/-
(Goutam Bhaduri)
Judge