

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4095 of 2016

- Nitish Singh S/o Ram Ratan Aged About 29 Years (Wrongly Mentioned In The Impugned Order As Nitesh Singh) R/o - Shakin Kabirpur, Police Station - Shekhpura - Sarai, District - Shekhpura (Bihar) --- **Petitioner**

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station - Dondilohara, District - Balod Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Mateen Siddiqui, Advocate
For the Respondent	:	Mrs. Shobha Kashyap, Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

17.08.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No.124 of 2016 registered at P.S. Dondilohara, Distt. Balod (C.G) for the offence punishable under Sections 420 of IPC.
2. As per the prosecution case, certain photograph was displayed in TV Screen by the applicant under a scheme "identify the Photo and win Rs.15 lakhs". The complainant participated in the said Scheme. The applicant called the complainant through his telephone number and informed that the complainant has won a prize of Rs.15 lakhs and allured him to deposit certain amount in the account of father of applicant whereby the complainant deposited the amount in the said account so as to get the amount of Rs.15 lakhs towards prize money but ultimately the same was not done and it was found that the applicant has committed forgery.

3. Learned counsel for the applicant would submit that complainant Ramdas Kumhar has received the entire amount of Rs.2,79,000/- by way of demand draft and a compromise has been effected between the parties. It is further submitted that the case is still pending and no further investigation is needed, therefore, he may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the the agreement wherein it is shown that the applicant has paid Rs.2,79,000/- to the complainant Ram Das Kumhar.
6. After perusal of the agreement and affidavit whereby the complainant has received certain amount and considering the fact that the charge sheet in this case has been filed and no further investigation appears to be necessary, I am inclined to release the applicant on bail at this stage.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE