

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4073 of 2016

- Pramod Kumar Khande S/o Paras Ram Khande Aged About 27 Years R/o Parsabhatha Village And Post Tarda, P.S. Urga, Tahsil Kartala District Korba Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, P.S. Urga, District Korba Chhattisgarh.

---- Respondent

For Applicant : Mr. Shailendra Dubey, Advocate

For Respondent/State : Mr. Neeraj Kumar Sharma, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

06-09-2016

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 on 12-12-2015 in connection with Crime No. 355 of 2015, registered at Police Station Urga, District Korba (CG) for the offence punishable under Sections 420/34, 467, 468, 471, 120-B and 201 of the IPC.
2. Case of the prosecution, in brief, is that the applicant along with other co-accused persons has received Rs.4,50,000/- from complainant Chandram Sonwani for providing job to his son and after taking the amount one appointment letter was given to him which was found to be forged and thereafter report was made t and the applicant was arrested.
3. Learned counsel appearing for the applicant would submit that the compromise has been affected between the parties, no further evidence is required and the applicant and his family members are

ready to return the amount to the complainant and in lieu thereof sale deed of land has been executed in favour of the complainant at village, Tarda. He has placed the document (*Ikrarnama*) on record. He would further submit that considering the facts and circumstances of the case, the applicant may be released on bail.

4. On verification of the document, it is submitted by the State counsel that Rs.20,000/- has been returned to the complainant and rest of the amount would be paid as has been agreed which would be evident from the statement of the complainant.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents.
6. Perused the statement of the complainant.
7. Taking into consideration the facts and circumstances of the case, considering the subsequent developments in this case, further considering the statement of the complainant and also the fact that charge-sheet has been filed, the applicant is in jail since 12-12-2015 and no further evidence is required, I am inclined to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju