

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4757 of 2016

Niranjan Ram, S/o. Ramdhani Ram, Aged About 36 Years, Caste Uraon,
Occupation Service (Clerk in Education Department), R/o. Katkalo, P.S. &
Tahsil Sitapur, District Surguja, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station- Sitapur, District Surguja,
Chhattisgarh.

---- Respondent

For Applicant : Mr. Vivek Kumar Pandey, Advocate

For Respondent : Mr. Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

29.08.2016

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.64/2016 registered at Police Station- Sitapur, Distt. Surguja (C.G.) for the offence punishable under Section 420 of Indian Penal Code.
2. As per the prosecution case, the applicant in April, 2015 in order to provide compassionate appointment to the complainant as also for the release of the pensionary benefits demanded Rs.1,65,000/- and accordingly Rs.1,55,000/- was paid to the applicant. Subsequently, the report was made and on enquiry, it was found that the complainant has transferred the amount in the account of the applicant.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and in-fact the applicant has taken loan and the amount has totally been transferred to the

complainant, which would be evident from the statement of the complainant; therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the fact that the charge sheet has been filed which also contains the receipt of Rs.1,55,000/-, 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