

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5430 of 2016

- Shiv Kumar Yadav @ Rinku S/O Late Shri Ram Chandra Yadav Aged About 26 Years R/O Kolki Mohalla, Manendragarh, Police Station - Manendragarh, Civil & Revenue District - Korla, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through - Police Station - Manendragarh, Civil & Revenue District - Civil & Revenue District - Korla Chhattisgarh

---- Respondent

For Applicant : Mr. J.K. Shastri, Advocate

For Respondent/State : Mr. Sangarsh Pandey, Dy.G.A

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

18-10-2016

1. This is 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 8-3-2016 in connection with Crime No.18 of 2016 registered at Police Station Manendragarh, District Korla (CG) for the offence punishable under Sections 420, 506 of the IPC.
2. As per the prosecution case, a report was made by the complainant Mrs. Archana Vishwakarma against the applicant that in order to provide her Government job on the ground that he has good relation with the son of the Health Minister, initially he obtained Rs.1,50,000/- and thereafter on different dates further amount was received and total amount Rs.1,82,000/- was received from her. However, ultimately Government job could not be provided to her and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case, no

offence has been committed by the applicant and it is a case of monetary transaction. He would further submit that the charge-sheet has been filed in this case and the applicant is in jail since 8-3-2016, therefore, he may be released on bail

4. Per contra, learned State counsel opposes the bail application and would submit that apart from this case, two crime Nos. 806 of 2016 and 81 of 2016 are registered against the present applicant in the like nature, therefore, he is not entitled to be released on bail.
5. I have heard learned counsel for the parties and perused the case diary and other documents.
6. Perused the statement of the complainant in which positive allegations have been attributed to the present applicant.
7. Taking into consideration the facts of the case and further considering the statement of the complainant and back-ground of the case and the manner in which the offence has been committed for providing job to unemployed person, I am not inclined to release the applicant on bail.
8. Accordingly, the bail application filed by the applicant under Section 439 of the Cr.P.C, is liable to be and is hereby dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Raju