

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5488 of 2016

1. Ankur Kumar Verma, aged about 32 years, S/o. Mr. Ramesh Kumar Verma, R/o. Kasekera, Chura, District – Gariyaband (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Police Station – Mandir Hasaud, Raipur.

---- Respondent

For Applicant : Mr. Ankur Agrawal, Advocate

For Respondent/State : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16/09/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.203/2015, registered at Police Station – Mandir Hasaud, Raipur, District – Raipur (C.G.) for the offence punishable under Section 420, 467, 468, 471, 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant along with other co-accused in order to provide job in railway received an amount of Rs.4,30,000/- and gave appointment letter and took the complainant to Calcutta and got them medically examined.

Subsequently, the appointment letter was found to be forged.

3. Learned counsel for the applicant submits that the applicant himself is a victim in this case since in the year 2013, the applicant had paid an amount of Rs.4,30,000/- to Rajendra Prasad to get a job in the railway as ticket collector but the appointment letter which was given was found to be forged. The counsel relied on the document Annexure A/4 filed along with the bail application and would submit that the applicant has made report to the police for the same at that time Rajendra has stated that amount will be repaid in installments to him. Subsequently, the main accused, Rajendra Prasad played the similar fraud with Khusbu Chandrakar and thereafter an amount of Rs.55,000/- were deposited in installments by Khusbu Chandrakar and others and total Rs.3,26,000/- were deposited in the account of present applicant by way of repayment. Therefore, the counsel submits that the applicant has not committed any fraud rather he is the victim and the amount, which was deposited and the applicant has defrauded would be evident from the appointment letter issued by the other co-accused namely Rajendra Prasad. Therefore, the counsel prays that the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the documents as also the documents filed by the applicant. Considering the nature of allegation and the

fact that initially the applicant made a report against Rajendra Prasad before the police that he was defrauded and paid Rs.4,30,000/- and further considering the facts and circumstances of the case and the fact that charge-sheet in this case has been filed, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge