

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5736 of 2016

1. 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 (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Police Station – Manendragarh, Civil and Revenue District – Korla (C.G.)

---- Respondent

For Applicant : Mr. Shyam Sunder Lal Tekchandani, Advocate

For Respondent/State : Ms. Shobha Kashyap, Dy.Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

27/09/2016

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.80/2016, registered at Police Station – Manendragarh, District – Korla (C.G.) for the offence punishable under Section 420, 34 of the Indian Penal Code, 1860.
2. As per prosecution case, a report was made by Pintu @ Vijay Shankar Vishwakarma alleging that an amount of Rs.3,30,000/- was obtained by the applicant in order to get the complainant employed in the railway. Subsequently when the job was not provided and money was demand back and when the complainant came to the Bilaspur he was threatened. Thereafter, a report was made on 26.06.2016. Thereby the offence has been committed.

3. Learned counsel for the applicant submits that three reports have been made by the family members of the complainant over a previous enmity and false allegations have been attributed against the applicant, 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, documents and statement of the victim as also the statement of the witnesses. Considering the fact that applicant with an assurance to get the complainant employed in the railways has obtained Rs.3,30,000/-, therefore, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge