

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6226 of 2016

- Surajbhan Singh Bajpayee @ Bhanupratap S/o Late Ajay Bajpayee
@ Alexander Aged About 59 Years R/o. House No. 210, Guru
Ghasidas Ward No. 44 Durg, Thana & Tahsil - Durg, Civil & Revenue
District Durg Chhattisgarh --- **Petitioner**

Versus

- State of Chhattisgarh through Station House Officer, Police Station
Durg, District Durg Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Sunil Sahu, Advocate
For the Respondent	:	Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24.10.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 106 of 2003 registered at P.S. Durg, Distt. Durg, (C.G) for the offence punishable under Section 420 of IPC
2. As per the prosecution case, a complaint was made by one Chandrakant Patel that in the year 1998 the applicant obtained Rs.58000/- for providing job for which a report was made on 08.02.2003. Subsequently the charge sheet was filed and thereafter he remained absconded till long and on 05.07.2016, he was arrested.
3. Learned counsel for the applicant would submit that on the same date, two other cases were registered wherein he has been enlarged on bail on 03.09.2016 and 08.09.2016. However, in this case, the applicant's bail was rejected. It is submitted that the incident is of the year 1998 and the

report was made much after the incident i.e., on 08.02.2003 and no iota of evidence is present against the present applicant and he has been falsely implicated.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and documents. A perusal of the order shows that in other two cases the applicant has been enlarged on bail on 03.09.2016 and on 08.09.2016 in similar nature of cases.
6. Taking into totality of the facts and circumstances of the case especially the fact that the alleged incident is of the year 1998; charge sheet has been filed and the applicant is in jail since 05.07.2016, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**