

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6793 of 2016

1. Harishankar Gedam, S/o. Kalyan Gedam, aged about 31 years, R/o. Village-Achoud, Post Office and Police Station – Ranchirai, District – Dhamtari (C.G.).

Presently, R/o. Post Office Ward, Ramsagarpara, Dhamtari, Post Office and Police Station – Dhamtari, Tahsil and District – Dhamtari (C.G.)

----Applicant

Versus

1. The State of Chhattisgarh, Through : the Station House Officer, Police Station – Dhamtari, District- Dhamtari (C.G.)

---- Respondent

For Applicant : Mr. Shivendu Pandya, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

17/11/2016

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.188/2016, registered at Police Station – Dhamtari, District – Dhamtari (C.G.) for the offence punishable under Section 420 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant in the year 2015 has received an amount of Rs.9,20,000/- from the complainant and other persons to provide them job in the railway department. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the amount was not taken for providing job as there was some monetary transaction took place and the applicant has returned the entire amount to the complainant and the applicant is in jail since 17.06.2016, therefore,

the counsel prays that the applicant may be enlarged on bail.

4. The State counsel was directed to verify the facts as to whether the complainant has received back the amount and on verification the State counsel submits the copy of the affidavit and submits that the applicant has returned the amount to the respective complainant Krishna Kumar, Santosh Kumar Sahu, Ravishankar Rana and Indraraj.
5. Taking into the facts and circumstances of the case and further taking into the fact that the applicant has returned the entire amount to the respective complainant, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. 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.
8. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge