

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7170 of 2016

- V. Dhanraju S/o V, Seemadri Aged About 46 Years R/o Steel Nagar, Near Singh Daily Needs, Camp-1 Bhilai, district Durg, Chhattisgarh. (Steel Nagar Not Completely Mentioned In The Cause Title Of The Certified Copy.

---- **Petitioner**

Versus

- State Of Chhattisgarh Through District Magistrate District Durg, Chhattisgarh.

---- **Respondent**

For Applicant : Mr. P.R. Patankar, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

17-11-2016

1. This is the second bail application filed under Section 439 of the Cr.P.C., for grant of regular bail to the applicant who has been arrested on 21-6-2016 in connection with Crime No. 380 of 2016 registered at Police Station Chhawani, District Durg (CG) for the offence punishable under Section 420 of the IPC. Earlier first bail application was dismissed as withdrawn on 16-9-2016.
2. Case of the prosecution, in brief, is that a report was made by the complainant that the applicant in order to provide job to him in Bhilai Steel Plant received an amount of Rs.11,70,000/- over a period of time in intervals and ultimately job could not be procured and money was not returned to the complainant and thereby the applicant committed the fraud.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in this case, there is no evidence in this regard to show that the applicant received the

amount from the complainant and only bald allegations have been attributed to the applicant. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 21-6-2016 and no further investigation is necessary, therefore he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail application.
5. I have heard learned counsel for the parties, perused the case diary and documents.
6. Perused the statement of the witness in whose presence cash Rs.11,70,000/- was handed over to the present applicant.
7. Taking into consideration all the facts and circumstances of the case, nature and gravity of the offence and the manner in which the applicant deceived the complainant, I am not inclined to release the applicant on bail.
8. Accordingly, the application filed under Section 439 of the Cr.P.C., is liable to be and is hereby dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Raju