

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7095 of 2016

- Jagatpal Ekka S/o Shri Gullu Ram Ekka Aged About 24 Years
Occupation Servant, Caste Uraon, R/o Village Khala Police
Station, Darima, Tehsil Ambikapur District Surguja,
Chhattisgarh. **Petitioner**

Versus

- State of Chhattisgarh through Station House Officer, Police
Station Darima, District Surguja, Chhattisgarh. **Respondent**

For the applicant	:	Mr. Saktiraj Sinha, Advocate
For the Respondent	:	Mr. Anil S. Pandey, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

16.11.2016

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. 108/2016 registered at P.S. Darima, Distt. Surguja (C.G) for the offence punishable under Section 420/34 IPC.
2. As per the prosecution case, a report was made by complainant Suraj Kumar Kewat that in order to provide job in Zila Panchayat, the applicant along-with other accused have received a total amount of Rs.5,30,000/- from the complainant and other persons, thereby the offence is committed.
3. Learned counsel for the applicant would submit that the applicant is also a victim and he has paid the amount to the other accused Prem Chand and Salik Singh and the same has not been recovered and when the other accused has not returned the amount, the applicant was not able to clear the

loan amount which was taken from the complainant for personal needs, therefore, the applicant has not committed any offence.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statements of Suraj Kumar, Rakesh Kumar and Usha Singh, Smt. Lavango etc.
6. Considering the degree of allegations levelled against the applicant and the way in which the offence has been committed, I am not inclined to allow this bail application. Accordingly, it is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**