

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No. 642 of 2017**

Pawan Kumar Jangde S/o Ramlal Aged About 41 Years R/o New Risda, Ambedkar Chowk, Bhardapara, Balco Nagar, District Korba, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Kharsiya District Raigarh, Chhattisgarh.

---- Respondent

For the Applicant : Shri Anmol Sharma, Advocate.
For the Respondent/State : Shri O.P. Sahu, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****15.11.2017**

1. Heard on application under Section 438 of the Code of Criminal Procedure, 1973.

2. This is the first bail application filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the applicant who is apprehending arrest in connection with Crime No. 190 of 2017, registered at Police Station – Kharsiya, District – Raigarh, Chhattisgarh for the offence punishable under Section 420 of the Indian Penal Code.

3. It is submitted by counsel for the applicant that the applicant has been falsely implicated in this case. There is no iota of evidence against the applicant in the investigation made. The plain statements given by the witnesses about the applicant receiving the amount from the complainant on

the pretext of arranging job is not believable. Hence, it is prayed that the applicant may be benefited with grant of bail.

4. Learned State counsel opposes the bail application and the submissions made in this respect. It is submitted that the allegations made in the written complaint and the statements of the witnesses under Section 161 of the Cr.P.C. are clear and categoric against the applicant. Hence, under these circumstances, the applicant is not entitled for grant of anticipatory bail.

5. Heard counsel for both the parties and perused the case diary.

6. Considering the submissions and the contents of the case diary, specifically statements of the witnesses under Section 161 of the Cr.P.C., I am of the considered view that this is not a fit case to release the applicant on anticipatory bail. Hence, for this reason, this application is rejected.

7. Accordingly, the bail application filed under Section 438 of the Cr.P.C. is rejected.

8. On a prayer made by counsel for the applicant, it is directed that on the event of the applicant placing himself in custody of the trial Court and praying for regular bail, the trial Court shall be obliged to consider the said bail application as expeditiously as possible, preferably on the same day.

Sd/-

(Rajendra Chandra Singh Samant)
Judge