

HIGH COURT OF CHHATTISGARH AT BILASPURM.Cr.C. No.7205 of 2017

1. Arjun Ram Sahu S/o Santaram Sahu, aged about 50 years.

2. Bhanu Sahu S/o Dasru Sahu, aged about 31 years.

Both are R/o village Sangwa Kapa, P.S. & District Mungeli (C.G.).

---Applicants

Versus

State of Chhattisgarh, Through - S.H.O. Police Station City Kotwali
Mungeli, District Mungeli (C.G.).

---Respondent

For applicants	:	Ms.Indira Tripathi, Advocate.
For resp./State	:	Shri D.R.Minj, Dy.G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

13/12/2017

1. The applicants has preferred this bail application under Section 439 of Cr.P.C. in connection with Crime No.84/2017 registered at Police Station City Kotwali, Mungeli (C.G.) for the offence punishable under Section 420/34 of IPC.

2. Present applicants are in jail since 15/10/2017 and 29/10/2017 respectively.

3. The allegation against the present applicant as per the prosecution case is that, the present applicant on the pretext of getting the employment in the Railways department is said to have collected a huge amount of money from 11 persons along with the other co-accused person.

4. The counsel for the applicant submits that, it is a case where the present applicant himself has been cheated by the co-accused – Rajendra Gupta to whom the present applicant has also paid the money for getting employment to the son of the present applicant No.1 and that the present applicant is totally ignorant about the entire incident and that it is only the co-accused – Rajendra Gupta who is the main accused and who has received the benefit in each of the cases from each of the customers and that the present applicant have not got any benefit of money which has been received by Rajendra Gupta and thus prayed for releasing the applicants on bail.

5. The State counsel however opposing the bail application submits that, it is a case where there are direct materials available in respect of the allegation and role played by the present applicant. According to the State counsel, from the case diary it reflects that it was the present applicant who had convinced the persons to provide money to the present applicants and in the process it is the present applicants who have received Rs.1,30,000/- from each of the complainant. Thus on the ground of seriousness of the allegation, the State counsel prayed for rejection of the bail application.

6. Having heard the contentions put forth on either side and taking note of the fact that, there are statements recorded during the course of the investigation which show that, the money has been received by these two applicants in this bail application and it was the present applicant who had

assured the villagers in providing employment through the co-accused – Rajendra Gupta.

7. Considering the nature of role played by the present applicants, this Court does not find it to be a fit case for releasing the present applicants on bail at this juncture. Accordingly, the bail application stands rejected.

Sumit

Sd/-
(P. Sam Koshy)
JUDGE