

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MISC. CRIMINAL CASE NO. 7173 OF 2017

Anil Kumar Khairwar, S/o Shri Badri Prasad Khairwar, aged about 32 years, Village- Barbaspur, Police Station- Akaltara, Civil and Revenue District Janjgir-Champa (C.G.), at present working as Pharmacist at Deputy Jail Balod, Civil and Revenue District Balod (C.G.)

... Applicant

versus

State of Chhattisgarh, through the Station House Officer, Police Station Janjgir, Civil & Revenue District Janjgir-Champa (C.G.) (wrongly mentioned through the District Magistrate, Janjgir, Civil & Revenue District Janjgir-Champa (C.G.)

... Respondent

For Applicant	:	Mr. Paras Mani Shriwas, Advocate.
For Respondent-State	:	Mr. Gary Mukhopadhyay, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

12/12/2017

1. The present is an application filed under Section 439 of CrPC seeking for grant of bail to the Applicant who is in jail since 10.8.2017 in connection with Crime No.290/2017 registered at Police Station- Janjgir, District Janjgir-Champa, for the offence punishable under Sections 420, 467, 468, 471, 34 of IPC.
2. Allegation against the Applicant as per the prosecution case is that the Applicant on the pretext of providing employment is said to have had extracted an amount of Rs.5.5 Lakh from the Complainant and thereafter he is said to have also provided the Complainant with a fake joining letter and when it was detected that it was a fake joining letter, an FIR was lodged against the Applicant and he has been arrested.
3. Learned Counsel for the Applicant submits that the other co-accused person in the instant case has already been released on bail by the Trial Court itself and that the present Applicant has already remained in custody for about four months and therefore he may released on bail. Learned Counsel further submits that the alleged fake joining letter also was not

issued by the Applicant nor has he handed over the said document to the Complainant.

4. Learned Counsel for the State however opposing the bail application submits that the Applicant on the pretext of employment is said to have extracted an amount of Rs.5.5 Lakh from the Complainant and also provided the Complainant with a joining letter which later on found to be a fake joining letter and therefore considering the nature of allegation the Applicant does not deserve to be released on bail.

5. Considering the nature of allegation and the seriousness of the offence, this Court is of the opinion that prima facie no strong case is made out for grant of bail to the Applicant at this juncture.

6. The bail application stands accordingly rejected.

Sd/-
(P. Sam Koshy)
Judge