

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 419 of 2017

Polu @ Piyush Mittal S/o Pawan Mittal Aged About 21 Years R/o Raigarh Road, Gharghoda, Tahsil & Police Station Gharghoda, District Raigarh, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Gharghoda, District Raigarh, Chhattisgarh.

---- Respondent

For applicant - Shri B.D. Guru, Advocate.
For Respondent/State –Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

1/02/2017

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.53/2016 registered in Police Station Gharghoda, Dist. Raigarh for offence punishable under section 420 of Indian Penal Code.
2. As per the prosecution case, a complaint was made by Bandan Manjhi, Sampati, Rajkumar and Rajaram that they received amount of 37 lakhs as their land were acquired by SECL which was deposited in the joint account. Subsequently, the applicant allured them to get better land and valuable land at Raigarh, managed to get transferred 23 lakhs in his favour. Thereby offence has been committed.
3. Learned counsel for the applicant submits that the alleged transaction was of 2012. Report was made in 2015. In fact there has been monetary transaction and when interest was asked by the applicant the report is made. It is further submitted that for three years complainants accepted to sit idle, therefore falsity is writ large, therefore the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the case dairy and the documents. As appears the alleged transaction is of 2012 and FIR was made in 2015. Considering such time gap between the incident and the FIR and the fact charge sheet has been filed, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE