

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 590 of 2017

- Donger Singh S/o Jahal Singh @ Prem Singh Aged About 40 Years
Caste Kumhar, R/o Village Jagdalla, Police Station Tendukona,
Tahsil Pithora, District Mahasamund, Chhattisgarh.

---- Petitioner

Versus

- State of Chhattisgarh Through Station House Office, Police Station
Tendukona, District Mahasamund, Chhattisgarh.

---- Respondent

For Applicant : Mr. Shekhar Sharma, Advocate

For Respondent/State : Mr. Sangarsh Pandey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08-02-2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 10-12-2015 in connection with Crime No. 177 of 2015, registered at Police Station Tendukona, District Mahasamund (CG) for the offence punishable under Section 420/34 of the IPC.
2. Case of the prosecution, in brief, is that the applicant in order to provide job to Som Prakash and Tarun Kumar in the Bank had received Rs.1,25,000/- and Rs.1,45,000/- on different dates and subsequently job could not be provided to them as such fraud was committed.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case, no amount

was paid to the applicant and same was deposited in another account. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 10-12-2015 and no further investigation is required, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and documents which would show that the applicant took them to one Shiv Prasad Sidar and he came along with Chintaram Pandey and thereafter different amount was deposited in the account which was given by them. Initially job could not be provided and the applicant assured to return the amount for which an affidavit was given by him not to proceed further. Subsequently, the amount was not returned to them.
6. Taking into consideration the facts and circumstances of the case, nature of allegation and degree of offence and further considering the way offence has been committed in an organized manner, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is liable to be and is hereby dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Raju