

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 1199 of 2017

1. Mohar Singh, S/o. Heera Singh, Aged About 54 Years, Caste- Gond, R/o. Village -Damiya, Police Station -Pali, District -Korba, Chhattisgarh.

----Applicant

Versus

1. State Of Chhattisgarh, Through : Police Station -Khadgawa, District Korea, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Sanjeev Verma, Advocate
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For Respondent/State	: Mr. Ashish Shukla, Govt. Advocate
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Hon'ble Shri Justice Goutam Bhaduri

Order On Board

10/03/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.68/2016, registered at Police Station – Khadgawa, District – Korea (C.G.) for the offence punishable under Section 420, 467, 468, 34 of Indian Penal Code.
2. As per the prosecution case, the applicant along with other co-accused persons obtained Rs.2,43,360/- from 468 beneficiaries in the name of society known as Kanya Kalyan Welfare Society by making promise to return the same to the beneficiaries upon their completing the age of 18 years at the time of their marriage and did not return the same.
3. Learned counsel for the applicant would submit that the similarly placed co-accused has been enlarged on bail by the Coordinate Bench of this Court in M.Cr.C. No.1046/2016 vide order dated 28.03.2016 since the entire money was collected by the Rajesh Kumar, therefore,

the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application, however, he is not able to dispute the fact that similarly placed co-accused has been enlarged on bail.
5. I have heard learned counsel appearing for the parties.
6. Considering the fact that similarly placed co-accused has been enlarged on bail by the Coordinate Bench of this Court in M.Cr.C. No.1046/2016 vide order dated 28.03.2016, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge