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HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3721 of 2017

- Jaiprakash Banjare S/o Late Dhani Ram Banjare, Aged About 39 Years R/o Village Khapradih, Police Station Navagarh, District Janjgir Champa, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kotwali Korba, District Korba, Chhattisgarh.

---- Non-applicant

And

MCRC No. 3723 Of 2017

- Vinod Kumar Khande S/o Parasram Khande, Aged About 27 Years, R/o Parsabhatha, Village Tarda, Police Station Uрга, Tahsil Kartala, District Korba, Chhattisgarh.

---- Applicant

Vs

- The State Of Chhattisgarh Through The Station House Officer, Out Post Rampur, Police Station Kotwali Korba, District Korba, Chhattisgarh.

---- Non-applicant

And

MCRC No. 4081 Of 2017

- Vijay Kumar Shrivastava S/o Laxminarayan Shrivastava, Aged About 26 Years, R/o Village - Rajgamar, Out Post Chowki Rajgamar, Police Station-Balco Nagar, Tahsil & District- Korba, Chhattisgarh

---- Applicant

Vs

- State Of Chhattisgarh Through Station House Officer, Police Station- Out Post Chowki- Rampur, Police Station- Kotwali, Korba, District- Korba, Chhattisgarh

---- Non-applicant

And

MCRC No. 4299 Of 2017

- Rajesh Jangde S/o Arun Jangde, Aged About 32 Years, R/o Ringani, Police Station Shivrinarayana, District Janjgir Champa Chhattisgarh At Present R/o Gudhiyari, Police Station Gudhiyari, District Raipur Chhattisgarh

---- Applicant

Vs

- State Of Chhattisgarh Through District Magistrate, Korba, District- Korba, Chhattisgarh

---- Non-applicant

For Applicants – Shri Amit Singh, Advocate (in MCRC No.3721/2017)
Shri Shailendra Dubey, Advocate (in MCRC No.3723/2017)
Shri Awadh Tripathi, Advocate (in MCRC No.4081/2017)
Shri S.K.Guha, Advocate (in MCRC No.4299/2017)
For Non-applicant/State – Shri Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order on Board

08-11-2017

1. As all the four matters arise out of the same crime number, i.e., Crime Number No.546/2015 registered at Police Station - Kotwali, Korba, C.G. for the offence under Section 420, 467, 468, 471, 120B, 201, 34 of the IPC, they are being decided by this common order.
2. Heard on the applications filed under Section 439 of the Cr.P.C. These are first bail application before this Court by the applicants.
3. It is submitted on behalf of the applicants that the applicants have been falsely implicated in this case. The case has been investigated and charge sheet has been filed. No case is made out against the applicants on the basis of the material on record. Applicant Jaiprakash Banjare is in jail since 11-12-2015, applicants Vinod Kumar Khande, Vijay Kumar Shrivastava are in jail since 12-12-2015 and applicant Rajesh Jangde is in jail since 13-12-2015 because of which the family members of the applicants are being harassed. The applicants are willing to abide by all the conditions imposed upon grant of bail. The case is triable by the JMFC. Hence, for these reasons the applicants may be granted bail.
4. Learned counsel for the State/non-applicant opposes all the applications and submissions made in this respect. It is submitted that as per the memorandum statement of accused Vinod Khande and Kapil Dev, they received amount from various persons by inducing them to arrange for jobs in Food Department, Forest Department, Jail and Police Department etc. and other accused persons had helped in the said act and also in preparation of

forged appointment letters. Hence, the applicants in this case are not entitled for grant of bail.

5. Heard learned counsel for the parties and perused the case diary.

6. As per the case, complainant in this case Manish Kumar Jaiswal filed a written complaint in Outpost Rampur, P.S. Kotwali, District Korba that applicant Vinod Kumar Khande, accused Kapil Dev had induced him to pay Rs.5 lacs on the pretext of getting him appointed as Data Entry Operator. Thereafter, the other witnesses have also stated about making of payment to applicant Vinod Kumar Khande and accused Kapil Dev. It was found in the investigation that other accused persons namely Dr. Mohan Kumar, Dheeraj Awasthi, Yashwant Banchhor and applicants Jaiprakash, Vijay Kumar Shrivastava, Rajesh Jangde cooperated in commission of the offence and have received from various persons amount in lacs of rupees on the pretext of arranging for their appointment to Government jobs in various departments. They also provided the victims of this offence with fake appointment letters etc.

7. Considering on the submissions and material in the case diary against the applicants in all the cases, I am of this view that none of the applicants deserves to be enlarged on bail.

8. Consequently, the applications (MCRC No.3721/2017, MCRC No. 3723/2017, MCRC No.4081/2017 and MCRC No.4299/2017) filed under Section 439 of the Cr.P.C. by the applicants are hereby dismissed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge