NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 4805 of 2017

Dilharan Yadav S/o Chaitram Yadav, Aged About 32 Years R/o Village Chodha, Police Station Kusmunda, District- Korba, Chhattisgarh.

---- Petitioner

Versus

State Of Chhattisgarh Through: Station House Officer Police Station - Ratanpur, District- Bilaspur, Chhattisgarh.

---- Respondent

For the Petitioner : Shri Devesh Chandra Verma, Advocate.
For the Respondent/State : Shri O.P. Sahu, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

ORDER

31.10.2017

1. Heard.

2. 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.128 of 2017, registered at Police Station – Ratanpur, District Bilaspur, Chhattisgarh for the offence punishable under Sections 420, 468 and 471 of the Indian Penal Code.

3. Learned counsel for the applicant submits that the applicant is in jail since 29.05.2017. The applicant is innocent and has been falsely implicated in this case. The charge-sheet has been filed but the trial has not been commenced. Hence, it is prayed that the applicant be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the

applicant is being prosecuted for grievous offences. Hence, for this reason, the applicant is not entitled for grant of bail.

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

6. It is alleged that the applicant made use of forged documents showing himself as Vinay Kumar Singh and obtained employment as Siksha Karmi Grade-III. On a complaint made by Yogesh Kumar Yadav, enquiry was made and it was found that the applicant has procured appointment by forged documents.

7. Considering the facts and circumstances of the case, the fact that at present charge-sheet has been filed and the trial is about to commence, and keeping the applicant in custody till the conclusion of the trial is not going to serve any purpose, I am of the considered view that in this case the applicant deserve to be enlarged on bail.

8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

9. It is directed that the applicant shall be released on bail on 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi