

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7620 of 2016

- Chandrakant Shrivastava S/o Sant Kumar Shrivastava Aged About 19 Years
R/o Village Borid, Police Station Patan, District Durg Chhattisgarh ---
Petitioner

Versus

- State of Chhattisgarh through the District Magistrate, Durg, Tahsil And
District Durg Chhattisgarh --- **Respondent**

For the applicant	:	Mr. N.S. Dhurandhar, Advocate
For the Respondent	:	Mr. Aupam Dubey, Dy. Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

10.01.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 191 of 2016 registered at P.S. Newai, Distt. Durg (C.G) for the offence punishable under Sections 420, 467, 468, 472, 170, 171 of IPC.
2. As per the prosecution case, a report was made by Manoj Kumar that the applicant personified himself as Sub-Inspector of Forensic Department and in order to get him employed received an amount of Rs.20,000/- from the complainant. However, subsequently it was revealed that the present applicant has deceived him by personifying himself to be the officer of Police Department.
3. Learned counsel for the applicant would submit that there has been some monetary transaction between the parties and the father of the applicant has returned the amount of Rs.20,000/- and thus without prejudice to the right

of the accused the amount has been paid to complainant. He further submits that the charge sheet has been filed; no further investigation is necessary and the applicant is in jail since 27.06.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the documents filed along-with the bail application. It appears that Rs.20,000/- was being sent by the father of the applicant to the complainant by postal money order.
6. Considering the fact that the complainant has received back amount from the father of the applicant as also the fact that the charge sheet has been filed and the applicant is in jail since 27.06.2016, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-

GOUTAM BHADURI
JUDGE