

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.7896 of 2016

Neeraj Yadu, S/o Santosh Yadu, aged about 26 years, R/o Shadhuwal,
Tulsipur, Rajnandgaon, Tehsil and District Rajnandgaon (C.G.)

---- Applicant

Versus

State of Chhattisgarh, through the Station House Officer, Police Station
City Kotwali, District Rajnandgaon (C.G.)

---- Non-applicant

For Applicant:	Mr. Sanjay Agrawal, Advocate.
For Non-applicant:	Mr. Bhaskar Payashi, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

18/04/2017

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.939/2015, registered at Police Station City Kotwali, Rajnandgaon, Distt. Rajnandgaon, for the offence punishable under Sections 420, 467, 468 and 471 of the IPC.
2. This is the third bail application filed on behalf of the applicant for grant of regular bail. First bail application was dismissed by this Court on 11-2-2016 finding no merit. Second bail application was dismissed on 10-8-2016. Therefore, the applicant filed Special Leave to Appeal (Criminal) before the Supreme Court which was dismissed on 23-9-2016 in which it was observed that "since charge-sheet has been filed, liberty is granted to the petitioner to file afresh application for bail which shall be decided in accordance with law".
3. Learned counsel for the applicant would submit that there is

allegation against the applicant that Rs.15 lakhs has been obtained from the complainants to secure employment but there is no evidence to say that the applicant has obtained Rs.15 lakhs. The only allegation is that the applicant has obtained Rs.2.5 lakhs, but he is in jail since 2-12-2015.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, now charge-sheet has been filed, considering the fact that the Supreme Court has granted liberty to the applicant to file fresh bail application and looking to the period of detention of the applicant since 2-12-2015, I am of the view that it is a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant be released on bail on his furnishing a personal bond in the sum of Rs.1,00,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge