

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1128 of 2017

Prakash Kumar Anant S/o Horilal, Aged About 36 Years R/o Village Khira, Police Station Seepat, Civil & Revenue District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through District Magistrate, Korba, (As Per Rejection Order) Station House Officer Kotwali (As Per F I R) (Chowki Rampur) Korba, District Korba, Chhattisgarh.

---- Respondent

For applicant - Shri Arun Kochar, Advocate.

For Respondent/State – Shri Sangarsh Pandey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

23/08/2017

1. This is second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed on 15/06/2016 vide M.Cr.C. No.2874 of 2016.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 546/2015 registered in Police Station Outpost Rampur, Police Station Kotwali District Korba (C.G.) for offence punishable under Sections 420, 467, 468, 471, 120(B) and 201 of IPC.
3. As per the prosecution case the applicant in connivance with Vinod Khande and Kapil issued different appointment letters for the post of Data Entry Operator and against this applicant allegation are that he typed such appointment letters. Such appointment letters were issued after obtaining amount from different persons.
4. Learned counsel for the applicant submits that the applicant is in jail

since 18/12/2015 and till date no progress in trial has taken place and the witnesses who have been examined have not stated against the present applicant and the allegations have been attributed to the other co-accused, therefore the applicant may be released on bail.

5. Learned State counsel was directed to enquire about stage of trial. It is submitted that till 20th July, 2017, 6 witnesses out of 42 witnesses have only been examined.

6. Considering the totality of the case, prima facie after going through the statement of the witnesses, applicant is in jail since 18/12/2015 and offences are triable by magistrate, this court is inclined to release the applicant on bail.

7. Accordingly, the second bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE