

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 1965 of 2017

1. Smt. Parvati Gond @ Parvati Beldar, W/o. Ballu Beldar (wrongly mentioned in order sheet as S/o. Ballu Beldar), aged about 35 years, Caste-Gond, R/o. Motisagar Para, Tahsil and District – Korba (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Police Station – Kusmunda, District – Korba (C.G.)

---- Respondent

For Applicant : Mr. D. Kushwaha, Advocate

For Respondent/State : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

11/04/2017

1. This is the second 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.8/2017, registered at Police Station – Kusmunda, District – Korba (C.G.) for the offence punishable under Section 420 of Indian Penal Code. The first bail application was dismissed as withdrawn with liberty to file afresh after filing of the charge-sheet vide order dated 27.02.2017 in M.Cr.C. No.860/2017.
2. As per prosecution case, a report was made by one Pora Bai Majhi that she came in contact with the applicant before October, 2016 as she purchased some dry fruits from the applicant. Subsequently, in the month of October, 2016, the applicant came to the house of the complainant and stated that her certain goods have been seized at Raipur for which certain money was required and having said that

money is not there, she asked for ornaments and the different ornaments were taken. Subsequently she again came after a month and again took certain gold and again she came back and asked for certain goods and assured that after payment of amount, ornaments would be recovered, however, nothing is returned and fraud of Rs.2,13,800/- is committed. Thereby the offence has been committed.

3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. It is further submitted that this is second bail application. The first bail application was dismissed as withdrawn with liberty to repeat the same after filing of the charge-sheet and now the charge-sheet has been filed and no further investigation is required, therefore, the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard the learned counsel for the parties.
6. Perused the case diary and the statement of the victim, which shows that apart from the goods, Rs.79,000/- was also taken. Taking into the such fact and the way the offence has been committed, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge