

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4837 of 2017**

- Piyush Tripathi S/o Prahlad Tripathi Aged About 30 Years R/o Police Line, Basantpur, Rajnandgaon, District Rajnandgaon Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Lalbagh, Rajnandgaon, District Rajnandgaon Chhattisgarh.

---- Respondent

For Applicant	:	Shri BD Guru, Advocate
For Respondent-State	:	Shri Anupam Dubey, Dy. GA for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****23/08/2017**

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 07.06.2016 in connection with Crime No. 138/2016, registered at Police Station Lalbagh, Rajnandgaon for the offence punishable under Section 420 of the IPC.
2. As per the prosecution case, a report was made by one Dhanesh Ram Sahu that in the year 2015 Piyush Tripathi i.e. the present applicant in order to provide job in the railways took him to Gorakhpur and received amount of Rs.3,50,000/-, however, the job was not provided and the report was made. Other victims also came forward and they have also leveled the same allegation that in the similar fashion the amount has been received by the applicant.

3. The first bail application bearing M.Cr.C. No.4741/2016 was dismissed as withdrawn on 03.01.2017. It is submitted that thereafter the compromise has been affected an amount of Rs.11,62,000/- has been paid to the victim and it is agreed that rest of the amount of Rs.5,88,000/- would be paid within six months. The agreement has been affected between the applicant and the victims Dhanesh Ram Sahu, Ajesh Yadav, Basant Kumar Sahu, Bhishm Kumar Dewangan and Toman Dewangan.
4. On the last date of hearing learned State counsel was directed to verify the fact that as to whether such agreement has been affected or not. Learned State counsel submits that the compromise has been affected and part of the amount has been paid to the victims and also it is agreed that rest of the amount would be paid within six months.
5. Considering the agreement, it appears that part of the amount has been paid and the applicant is in jail since 07.06.2016, I am inclined to release the applicant on bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri
Judge

Ashu