

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 5297 of 2017**

- Goutam Solanki, S/o Omdatt Solanki, Aged About 26 Years, R/o Flat No. 4 Street No. 2 Guru Angad Nagar, Laxmi Nagar, (East) Police Station Preet Vihar, New Delhi 92.

---- Applicant**Versus**

- State Of Chhattisgarh, Through Police Of Police Station Balod, District Balod Chhattisgarh.

---- Non-applicant

For Applicant	:	Shri Prasoon Agrawal Advocate.
For Respondent/State	:	Shri Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****21.09.2017**

Perused the office notice dated 15.09.2017, as per said notice the except present applicant no co-accused as preferred any petition to enlarged them on bail under Section 439 of the Code of Criminal Procedure.

Heard the matter finally.

2. Learned counsel for the applicant would submit that there are two more co-accused Arpit Chouhan, and Kirti Singh Rajput, who had not filed any petition to enlarged them on bail under Section 439

of Cr.P.C. Learned counsel for the applicant would further submit that the applicant is arrested in connection with Crime No. 332/2016, on 20.08.2016, Police Station Balod, Distt. Balod (C.G.), for the offence under Section 420, 467, 468, 471 read with Section 34 of the Indian Penal Code.

3. Learned counsel for the applicant would further submit that after investigation police had filed charge-sheet against the total 3 accused persons including present applicant which is pending before the Chief Judicial Magistrate Balod, (C.G.). as Criminal Case No.1619/16. Learned counsel for the applicant would further submit that his name is not surfaced in the F.I.R., account number shown is of co-accused Kirti Singh Rajput, mobile number involved is of co-accused Arpit Chouhan and on alleged demand only Rs. 2500/- has been deposited in the account co-accused. On the basis of discloser statement of the co-accused, present applicant is traced applicant is in custody since last 13 months. He is the first offender and he will not commit any offence in future and he may be granted on bail till trial. Also applicant had also preferred MCRC No.1668/17 and the said petition was dismissed for want of prosecution on 05/05/2017 when there was no representation on behalf of the applicant, applicant may be enlarged on bail till trial.

4. Per contra, learned counsel for the respondent/State opposed the arguments advanced on behalf of the applicant would submits that the applicant resident of Delhi and on the basis of discloser of statement of present applicant the Laptop, Mobile Phone, A.T.M., card and false and fabricated appointment letter for the ITBP and

other documents were seized. Also from the co-accused Kirti Singh Rajput document which are connected with the present applicant has been seized. Hence, looking to the entire facts as the applicant was involved for false and fabricated appointment letter and also to take money for the said, hence the instant MCRC may be dismissed.

5. Perused the entire material.

6. On consideration of entire facts surfaced the documents seized the discloser statement of the applicant and with the entirety of the matter surfaced, I am not inclined to grant bail to the applicant.

7. Consequently, the instant MCRC is hereby dismissed.

Sd/-

(Chandra Bhushan Bajpai)

Judge