

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5218 of 2017

Kamlesh Baghel S/o Late Uday Ram Baghel, Aged About 43 Years
R/o Lalpuri Mogra 577, Bhilai, Tahsil & District Durg (Chhattisgarh).

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Nevai, District Durg (Chhattisgarh).

---- Respondent

For applicant - Shri B.P. Singh, Advocate.
For Respondent/State –Shri Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

5/09/2017

1. This is third bail application under Section 439 of Cr.P.C. The first bail application was dismissed on 23/01/2017 vide M.Cr.C. No.7668/2016 and second bail application was dismissed for want of prosecution on 1/08/2017 vide M.Cr.C. No.3704 of 2017.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.202/2016 registered in Police Station Nevai, District-Durg (C.G.) for offence punishable under sections 420, 467, 468, 471/34 of IPC.
3. Case of the prosecution, in brief, is that the applicant had obtained Rs.60,000/- from the complainant Rajesh Kumar for providing job but he is alleged to have given a forged call letter to the complainant and thereby has committed the offence.
4. Learned counsel for the applicant submits that entire amount was paid to the complainant by the other co-accused and thereby co-accused has been enlarged on bail. He submits that thereby entire amount has been returned and against the present applicant no dues remains to be

paid, therefore the applicant may be released on bail.

5. Learned State counsel was directed to verify the facts and the State counsel came out with verification.

6. Perusal of the case diary would show that complainant Rajesh Kumar has stated that with other co-accused there has been compromise has been affected but with the applicant neither any compromise has been affected nor any amount has been paid. In view of this, I do not find any change of circumstance to reconsider this third bail application.

7. Accordingly, the third bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE