

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6390 of 2017

Ajay Ikhar (Ekhar) S/o Shri Ankush Ikhar (Ekhar) Aged About 24
Years R/o Surya Vihar, Supela Bhilai, P. S. Supela, District Durg
Chhattisgarh --- **Petitioner**

Versus

State of Chhattisgarh through the Station House Office, Police Station
Gurur District Durg Chhattisgarh --- **Respondent**

For the applicant	: Ms. Nirupama Bajpai, Advocate
For the State	: Mr. Neeraj Sharma, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

01.11.2017

1. This is second bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 810 of 2016 registered at P.S. Gurur, Distt. Durg (C.G) for the offence punishable under Sections 420, 467, 468, 471, 120-B of IPC.
2. As per the prosecution case, a report was made by one Chandra Prakash that in order to provide job, the present applicant along-with one Ashish Soloman has received an amount of Rs.4,45,000/- from him. It was found that no service was ever provided to the complainant and a forged appointment letter was given to him as such on a report made, the investigation was carried out and charge sheet was filed.
3. Learned counsel for the applicant would submit that this is second bail application and the the first bail application was dismissed on 06.03.2017 with liberty to repeat the same after examination of the complainant. Now the complainant

has been examined and he has not stated against this applicant and all the allegations have been attributed to co-accused Ashish Soloman. It is further submitted that the memorandum/seizure witnesses have also not supported the case of prosecution, therefore, the applicant who is in jail since 10.11.2016 may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statements of the complainant Chandra Prakash. It appears that no allegations have been attributed to the present applicant.
6. Considering the nature of such allegations, without any further observation on merits of the case and taking into the fact that the memorandum witnesses and seizure witnesses have not supported the case of prosecution, I am inclined to allow this bail application.
7. Accordingly, the bail 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 concerned trial Court/Remand Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**