

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 443 of 2017

- Kundan Sharma S/o Late Balmukund Sharma, Aged About 39 Years R/o Veer Savarkar Nagar, Colony Heerapur, Quarter No. M. I. G. /187, Kabir Nagar, Raipur, District- Raipur Chhattisgarh.

---- Applicant (In Jail)

Versus

- State Of Chhattisgarh Through- District Magistrate, Durg, District- Durg Chhattisgarh.

---- Non-applicant

For Applicant	:	Shri Kishore Bhaduri & Shri Pawan Kesharwani, Advocates.
For Respondent	:	Shri Shashank Thakur, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order On Board

12/06/2017

1. The applicant has preferred this bail application for grant of regular bail as he has been arrested on 10.11.2016 in connection with Crime No.8/2016 registered at Police Station Newai, District Durg (CG) for the offence punishable under Sections 420, 467, 468, 471 & 34 of IPC.
2. Case of the prosecution, in brief, is that the applicant herein is said to have rendered assistance to main accused Smt. Mridula Singh in extracting amount of Rs.16 Lakhs approximately from the complainant on the pretext of providing employment to his son & nephew in the Railway Department which ultimately when they could not, a complaint was lodged by the complainant based on which the offence was registered against them.

3. Counsel for the applicant submits that main accused Smt. Mridula Singh has already been granted bail by this Court vide order dated 13.2.2017 passed in M.Cr.C. No.43/2017. He further submits that the complainant and the accused persons have already entered into a compromise and taking into consideration this fact, the bail was granted to the main accused.
4. Learned State Counsel after due verification of the facts admits that a compromise has been arrived at between the complainant and accused persons. He further emphasized the fact that name of present applicant does not reflect in the FIR and he has been made accused at a later stage.
5. Considering the total facts and circumstances of the facts, in particular the fact that main accused has already been released on bail by this Court and the case of present applicant being on better footing as compared to the allegations against the main accused, this Court is of the opinion that present is a fit case for grant of regular bail to the applicant.
6. Accordingly, the bail application is allowed. It is directed that on applicant's furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court concerned, he be released on bail. The applicant is directed to appear before the concerned trial Court on each and every date given by the said Court till disposal of the trial.
7. Certified copy as per rules.

Sd/-
(P. Sam Koshy)
Vacation Judge