

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5684 of 2017**

- Kumar Abhishek S/o Bajrangi Lal Shrivastava, Aged About 37 Years R/o Flat No. 601, R N Enclave, Kranti Factory Road, Gandhinagar, Kankad Bag, Patna, District Patna, Bihar.

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Civil Lines, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Achyut Tiwari, Advocate
For Respondent-State	:	Shri Sangharsh Pandey, Dy. GA for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****04/10/2017**

1. This is the First Bail Application. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.608/2013, registered in Police Station Civil Lines, Dist. Raipur for offence punishable under Sections 420, 468, 471, 34 of the I.P.C.
2. As per the prosecution case, the applicant along with the other co-accused published an advertisement in the news-paper for appointment in *Central Ocean Regulatory Authority, Ernakulam*. Thereafter, different people filled up the form and received phone call and they were allured that on payment of certain amount, they would be provided job. Consequently, few of the victims deposited the amount in an earmarked account given by the accused. Thereafter, the appointment letter was also issued and after issuance of appointment letter, when the victims went to join their service, it

was found that the entire selection process was fake and there is no such company. Consequently, different amount were received from the persons and fraud was committed.

3. Learned counsel for the applicant would submit that the entire allegation is attributed to one Sangita Sharma and no allegation is on the present applicant and the amount was deposited in the account of one Mubarak Ansari, therefore, only on the basis of assumption the applicant has been inculpated. He further submits that in similar nature of offence which was registered at Delhi, the applicant has been bailed out and in the instant case also the charge-sheet has been filed, therefore, the applicant may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case-diary, documents and also the statement of Mubarak Ansari, who has been made a witness by the prosecution. Perusal of the record and the statement would show that the applicant along with Sangita Sharma, who is said to be the wife of the present applicant gave the forged appointment notification in the news-paper, thereafter, the amount was deposited in lieu of providing job. Perusal of the document prima facie shows that Meenakshi Shrivastava @ Vibha Jha @ Sangita Sharma is wife of Kumar Abhishek, who is also known as Suresh Murli.
6. Considering the way the offence has been committed, I am not inclined to allow the bail application and release the applicant on bail. Accordingly, the bail application is dismissed.

Sd/-

Goutam Bhaduri

Judge

Ashu