

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 260 of 2018**

Kishan Lal Sharma S/o Late K. B. Sharma, Aged About 41 Years R/o Near Badh Talab, Circuit House Road, P. S. Kotwali, District Raigarh Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Chakradhar Nagar, Distt. Raigarh Chhattisgarh.

---- Respondent

For the Applicant : Shri Sanjay Agrawal, Advocate.
For the Respondent/State : Shri Anant Bajpai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****05.02.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 20 of 2017, registered at Police Station Chakradhar Nagar, Raigarh, District Raigarh, Chhattisgarh for the offences punishable under Section 420/ 34 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant is in jail since 16.12.2017 and has been falsely implicated in this case. The main accused persons in this case are Siddharth Raot and Kachra Bai who have cheated various persons and received all the amount by inducement. The applicant has not received any amount and he is not a beneficiary of any amount so cheated. No case is made out against the applicant on the basis

of the material placed before the Court by the prosecution. The applicant is a local resident of District Raigarh and he is ready to abide by all the conditions imposed on him. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the applicant was the person who introduced various persons to the main accused persons and has helped in the commission of offence of cheating. Hence, the applicant is not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.

5. A complaint was made by complainant – Rajendra Prasad Sarthi and five others stating that the applicant introduced them to main accused – Siddharth Raot stating that he can arrange for the appointment to jobs in Medical College, Raigarh, on the inducement given by the main accused, the complainant and others, in total, deposited Rs.10,54,000/-with Siddharth Raot and Kachra Bai in the year 2014. As the complainant and others could not get any appointment, they started asking for refund of the amount for which main accused - Siddharth Raot issued some cheques in favour of the complainant which were dishonoured by the Bank. Hence, this case.

6. Considering the submissions and the contents of the case diary, as there is no direct allegation against the applicant that the applicant was the recipient of the amount from the complainant and others, the applicant is a local resident of District Raigarh and there is no likelihood of his absconding,

I am of the considered opinion that the applicant deserves to be released on bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge