

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 458 of 2018**

Manish Bhardwaj, Aged About 24 Years, S/o. Ghanshyam Bhardwaj, R/o. Jobs Castle Colony, In front Of Rahul Dhaba, Mopka, P.S. -Sarkanda, District-Bilaspur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Through : The District Magistrate, Bilaspur, District -Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Rajeev Kumar Dubey, Advocate

For State/respondent : Mr. Anant Bajpai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**04/04/2018**

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.288/2017, registered at Police Station – Sarkanda, District – Bilaspur (C.G.), for the offence punishable under Section 420/34 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is Vice President of Krishi and Pashupalan Bahueddeshiya Sahkari Samiti Maryadit, Bilaspur, which is a registered society and no offence has been committed by this applicant. It is further submitted that similarly

placed co-accused in this case has been enlarged on bail by this Court. Hence, prayed that the applicant may be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. The case of the prosecution in brief is that the complainant Laxmi Singh Thakur gave a written complaint alleging that this applicant and others in capacity of office bearers of the said society invited applications for appointment to various posts. When the complainant and various other persons applied for the job, they were appointed and security deposits were taken from all of them. Subsequently, the complainant and others served with the society for about one year, but they were paid salary only for two months. When the complainant and others started demanding their salary and the deposit amount in refund, they were not paid. Hence the FIR has been lodged.
6. Considered on the submissions made and the contents of the case diary. Further considering the entire material present in the case diary and taking into consideration this fact that co-accused in this case has been enlarged on bail by this Court itself and the case of the applicant can not be differentiate that of other co-accused person, who has been enlarged on bail, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on his 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 his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram