

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 176 of 2018

Khataram Verma S/o Thanuram Verma, Aged About 49 Years R/o
Village Pawantara, P. S. Khairagarh Tahsil Khairagarh District
Rajnandgaon Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through District Magistrate Durg
Chhattisgarh

---- Respondent

For applicant - Shri Vikash Shrivastava, Advocate.
For Respondent/State –Shri Ashish Shukla, Dy.A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order

23/01/2018

1. This is third bail application under Section 439 of Cr.P.C. The first bail application was dismissed on 6/10/2016 vide M.Cr.C. No.6157 of 2016 and second bail application was dismissed on 8/05/2017 vide M.Cr.C. No.3320 of 2017.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.334/2016 registered in Police Station Mohan Nagar Dist. Durg (C.G.) for offence punishable under sections 420, 34, 170 of IPC.
3. As per the prosecution case, the applicant alongwith other accused namely Abhilash, Prafull Meshram and Deen Dayal in order to provide job to Hemant Kumar as Police obtained an amount of Rs.1,62,000/- from the complainant Lalit Kumar and in the like nature from other complainants also the applicant and other accused have received an amount of Rs.17,28,000/-. It is also alleged that co-accused Prafull Meshram was introduced as police inspector and by such false personification, the amount was collected thereby the offence has been committed.

4. Learned counsel for the applicant submits that the complaint was made by Lalit Kumar and the deposition which is of Ramesh Kumar Sahu in chief it would reveal that entire money has been paid to the Lalit Kumar other complainant and the present applicant was nowhere in the picture, however at the instance of the Lalit Kumar name of the applicant was inculpated. He submits that the applicant is in jail since 25/07/2016, therefore trial may take some time, therefore the applicant may be released on bail.

5. Learned State counsel opposes the prayer for grant of bail.

6. Perused the statement of Ramesh Kumar Sahu. Considering the statement and also for the fact that applicant is in jail since 25/07/2016, this court is inclined to release the applicant on bail.

7. Accordingly, the third bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE