

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 650 of 2018**

Ansar Alam, S/o. Alisan Ansari, Aged About 25 Years, R/o. Madwaniya, Police Station Ramuna, District Gadwa (Jharkhand). Presently R/o. Takiya Road, Ambikapur, District -Sarguja, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : The Station House Officer, Police Station Basantpur, District -Balrampur Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant : Mr. Jitendra Shrivastava, Advocate

For State/respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**18/05/2018**

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.88/2016, registered at Police Station – Basantpur, District – Balrampur-Ramanujganj (C.G.), for the offence punishable under Section 420, 467, 468, 471, 34 of the Indian Penal Code and Section 3 (2-5) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this. The applicant is in jail since 30.07.2017. No case is made out against him on the basis of the

material present in the charge-sheet. The case is triable by Judicial Magistrate First Class. Similarly placed co-accused person has been granted bail by this Court. Hence, it is prayed that the applicant may also be released on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that this applicant happens to be a main accused in this case, hence, he is not entitled for grant of bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, an advertisement was published by this applicant inviting applications for Manav Swasthya Saksharta Scheme from the candidates, representing that the scheme is floated by the Government of Chhattisgarh. 14 complainants approached this applicant to whom some training was imparted after receiving fees of Rs.15,000/- from each of them. Subsequently, Rs.12,500/- was realized from each of the complainant for providing job to them. Later on complainants came to know that fraud has been committed, hence, FIR has been lodged.
6. Considered on the submissions made, contents of the case diary and the entire material present in the charge sheet. Co-accused Samsad Ansari has been granted bail by this Court, the case is pending since more than 10 months and the trial is likely to take sometime for its conclusion, 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 local 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