

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1307 of 2018

- Bhagwat Lahre S/o Late Shri Goverdhan Lahre, Aged About 52 Years, R/o.- Rigni P.S. Old Bhilai Telsil And District- Durg, Chhattisgarh, District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Aarakshi Kendra, Dondilohara District- Balod, Chhattisgarh., District : Balod, Chhattisgarh

---- Non-applicant

For Applicant – Shri Avinash Chand Sahu, Advocate.

For Non-applicant/State – Shri Vijay Bahadur Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

18-04-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 14-12-2017 in connection with Crime No.435/2017 registered at P.S. - Old Bhilai, District- Durg, Chhattisgarh for the offence under Section 420 of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 14-12-2018. The charge sheet has been filed after completion of the investigation, hence, there is no requirement to keep this applicant in detention at this stage as the trial is likely to take some time before its conclusion. Further, no case is made out on the basis of material present in the charge sheet. Hence, it is prayed that the applicant may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application and submits that the applicant not only cheated the complainants, but also the other persons. Hence, looking to the multiplicity of the offence committed, he is not entitled for grant of bail.

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

5. According to the prosecution case, this applicant induced complainants Ishwari Prasad and Thaneshwar that he can get the appointments for son and daughter of the complainants as Shiksha Karmi and railway employee and received about Rs.7,50,000/- in installments from the complainants as a result of that inducement, in the year 2014. As no siblings of the complainants could get appointment in any job, the complainants started demanding the refund of the amount given by them. The applicant gave cheque of Rs.2,20,000/- which has been dishonoured by the bank. Thereafter, the FIR has been lodged. Hence, this case.

6. Considered on the entire material present in the case diary. It appears that this applicant has no criminal antecedent and he is local resident of District Durg whose availability before the trial Court shall not be compromised if he is released on bail. Hence, for these reasons, I am of this view that this applicant should be released on bail during pendency of the trial against him.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the 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 Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge