

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1149 of 2018

Abhilash Meshram, S/o. Shri Ashok Meshram, Aged About 25 Years, R/o. Vijay Nagar, Durg, P.S. Mohan Nagar, Durg, Tehsil, Civil & Revenue District- Durg (C.G.).

---- Applicant

Versus

State Of Chhattisgarh, Through- District Magistrate, Durg, Tahsil, Civil & Revenue District- Durg (C.G.).

---- Respondent

For Applicant : Mr. Jaydeep Singh Yadav, Advocate

For Respondent : Mrs. Astha Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16.02.2018

1. This is the third bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.334/2016 registered at Police Station- Mohan Nagar, District Durg (C.G.) for the offence punishable under Sections 420, 34, 170 of Indian Penal Code. The first bail application was dismissed on merit on 18.10.2016 and second bail application was dismissed on 01.09.2017.
2. Case of the prosecution, in brief, is that a report was made by the complainant Lalit Kumar Sahu that the applicant along with other co-accused persons in order to provide Government job to him and other victims, had obtained Rs.17,28,000/- from different persons. However, ultimately Government job could not be provided to them and thereby the aforesaid offence was committed.

3. Learned counsel for the applicant submits that the similarly placed co-accused namely Khataram Verma has been enlarged on bail by this Court on 23.01.2018 in MCRC No.176 of 2018 and the case of the present applicant is similar to that case, therefore, the present applicant may also be released on bail.
4. Learned State counsel opposes the prayer for grant of bail, however, she do not dispute the fact that the similarly placed co-accused has already been enlarged on bail.
5. Perused the case diary and the documents. Considering the fact that the other similarly placed co-accused Khataram Verma has already been enlarged on bail and the present applicant is in jail since 03.07.2016, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge