

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 1233 of 2018**

Ravindra Aware, S/o. Vishnu Aware, Aged About 35 Years, R/o. Police Line, Tikrapara, Raipur, District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Police Station :Kotwali, District -Durg, Chhattisgarh.

---- Respondent

For Applicant	: Mrs. Renu Kochar, Advocate & Mr. Gyan Prakash Dandekar, Advocate
For State/respondent	: Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**17/04/2018**

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.231/2017, registered at Police Station – Kotwali, District – Durg (C.G.), for the offence punishable under Section 420 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 in jail since 06.11.2017. Charge-sheet has been filed after completion of investigation. It is submitted that none of the witnesses have been examined in the trial and the trial is likely to take considerable time,

applicant intends to defend his case and also wants to take care of his father, who has suffered brain hemorrhage and admitted into hospital, hence under these circumstances, it is 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. It is submitted that one similar case has been registered against the applicant in Police Station – City Kotwali, Durg for similar offence committed by him and this applicant has by inducement received Rs.13,27,000/- from the various persons with false promise to provide them government job in police department and health department. Hence, he is not entitled to be released on bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, this applicant give inducement to the complainant Netram and number of other persons that he is having connections and is capable to get appointments in police department and health department and on his inducement complainant and others paid him amount as asked by him in the year 2015. As none of the persons induced could get appointment, hence they asked for the refund of the amount given and on refusal, the FIR was lodged.
6. Considered on the submissions made and the contents of the case diary. Considering the fact that the applicant himself is a constable in the police department and presently placed under suspension, trial against him is likely to take sometime, his availability before the trial Court can be ensured by imposing suitable conditions, 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