

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6322 of 2017

- Narottam Singh Rajput S/o Kanhaiya Lal Rajput, Aged About 40 Years, R/o Village Harnachaka, Tahsil Lormi Police Station Mungeli, District Mungeli Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Lalpur, District Mungeli Chhattisgarh.

---- Non-applicant

And

MCRC No. 7010 Of 2017

- Devendra Singh Dhruv S/o Jagmohan Singh Dhruv, Aged About 29 Years, R/o Village Semrapara (Bareli) P. S. Lormi, District Mungeli Chhattisgarh

---- Applicant

Vs

- State Of Chhattisgarh Through Station House Officer, Police Station Lalpur, District Mungeli Chhattisgarh

---- Non-applicant

For Applicant – Shri Surfaraj Khan, Advocate (in MCRC No.6322/2017),
Shri C.K.Sahu, Advocate (in MCRC No.7010/2017).
For Non-applicant/State – Shri Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

03-01-2017

1. As both these MCRC arise out of the same crime number, i.e., Crime No.143/2017 registered at P.S. Lalpur, District Mungeli, C.G. for the offence under Section 409, 420, 34 of the IPC, they are being decided by this common order.
2. Heard on both the applications filed under Section 439 of the Cr.P.C. These are first bail application before this Court by the applicants for regular bail. The applicant in MCRC No.6322/2017 has been arrested on 23-08-2017 and the applicant in MCRC No.7010/2017 has been arrested on 16-08-2017 in connection with aforesaid crime number and offence.

3. It is submitted on behalf of the applicants that co-accused Vinod Patel has been granted bail by this Court and present applicants had also similar case to that of the co-accused. No case is made out against the applicants on the basis of material in the charge sheet. Applicant Narottam Singh Rajput in MCRC No.6322/2017 is in jail since 23-08-2017 and applicant Devendra Singh Dhruv in MCRC No.7010/2017 is in jail since 16-08-2017. Both of them are local residents and are ready to abide by all the conditions imposed on them on grant of bail. Trial of the case is likely to take some time. Hence, it is prayed that the applicants may be granted regular bail.

4. Learned counsel for the State/non-applicant opposes the applications and submission made in this respect. It is submitted that the applicants have committed fraud and cheating with 86 beneficiaries of Rojgar Guarantee Yojana. Hence, looking to the enormity of the offence committed by the applicants, they are not entitled for grant of bail.

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

6. Facts of the case are these that a number of beneficiaries under the scheme of Rojgar Guarantee Yojana were remunerated directly in their bank account. It is alleged that the applicants approached the beneficiaries and induced them that they will help in facilitating the withdrawal of amount deposited in their account and received the ATM cards of the accounts from the said beneficiaries. The ATM cards were later on returned back and the beneficiaries were informed that no amount has been deposited in their bank account. On the basis of complaint received an enquiry was conducted in which role of the applicants were found showing commission of the offence.

7. Considered on the submissions made and contents of the case diary. Taking into consideration the facts that applicants are in jail since past a few months and trial against them is likely to take some time before its conclusion, the applicants are resident of District Mungeli, C.G., co-accused Vinod Patel

has been granted bail in MCRC No.6022/2017 by this Court vide order dated 07-11-2017, in the considered view of this Court, the applicants in the present matter deserve to be released on bail during pendency of trial against them.

8. Consequently, the applications (MCRC No.6322/2017 and MCRC No.7010/2017) filed under Section 439 of the Cr.P.C. by the applicants are hereby allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned Court, for their appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge