

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1747 of 2018

- Manish Kumar Sinha S/o Arvind Sinha Aged About 19 Years
Occupation Student R/o Ward No. 6, Hridayganj, Thana Michaibadi,
Near Degree College, Distt. Katihar Bihar, District : Katihar, Bihar

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Incharge P. S.
Ambikapur Dist. Surguja Chhattisgarh, District : Surguja (Ambikapur),
Chhattisgarh

---- Respondent

For Applicant	:	Mr. Rakesh Pandey, Advocate.
For Respondent/State	:	Mr. Anupam Dubey, Dy. Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

27/04/2018

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.473/2017, registered at Police Station- Ambikapur, District – Surguja(C.G.) for the offence punishable under Sections 420, 467, 468, 471, 120-B & 34 of Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. Applicant is in jail since 13.8.2017. No case is made out against this applicant. It is submitted that applicant is not the main accused person. Main accused is Pradeep Kumar who has given inducement and received the property from the complainant.

Hence, it is prayed that he may be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. According to prosecution case, main accused Pradeep Kumar approached the complainant as an employee of Railways and made a purchase of LED televisions etc. on credit and in return, a payment was made through bank draft. However, on presenting the said bank draft with the bank for encashment, it was found to be forged. On coming to know that the fraud has been committed, the complainant lodged FIR. On a query being made, the Railway has replied that the applicant and said Pradeep Kumar are not the employees of the Railways. Hence, this case.
6. Perused the contents of the case diary. Purchase of 21 LED televisions was made by main accused Pradeep from the shop of the complainant. Applicant is of tender age about 19 years and he does not have any criminal past, therefore, I feel inclined to grant regular bail to the applicant.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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.

Sd/-

(Rajendra Chandra Singh Samant)

Judge

Nisha