

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2143 of 2018**

Brajesh Sharma S/o Ramgovind Sharma Aged About 45 Years Occupation- Proprietor, Universal Scout And Guide Organization, Gulab Bhawan, Sarona, Raipur R/o- MIG-757, Padmanabhpur, Police Station Pulgaon, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- Station House Officer, Police Station- Amanaka, Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh.

---- Respondent

For the Applicant : Shri C.R. Sahu, Advocate.
For the Respondent/State : Shri Vinod Tekam, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****15.05.2018**

Heard.

1. This is the second bail application of the applicant. The first bail application of the applicant was dismissed as withdrawn on 30.1.2018 in M.Cr.C. No. 7570 of 2017. The applicant has been arrested in connection with Crime No.46 of 2017, registered at Police Station – Amanaka Raipur, District Raipur, Chhattisgarh for the offence punishable under Section 420/34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 22.2.2017 and has been falsely implicated in this case. After completion of investigation, the charge-sheet has been filed and till date only one witness has been examined out of the 10 witnesses. The trial is getting

delayed and this applicant is languishing in jail without any fault on his part. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the offence committed by this applicant is of huge magnitude. Hence, no case is made out for grant of regular bail to the applicant.

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

5. According to the prosecution case, this applicant was the founder of the Universal Scout & Guides Organization at Sarona, Raipur. This applicant induced the complainant and other witnesses who came for training in the institute that he has connections and he can arrange for their appointments for getting jobs. On his asking, the complainant and other witnesses had given Rs.24,55,000/- as gratification for the same. As none of the persons were appointed to any government jobs, the FIR was lodged.

6. Considered on the material present in the case-diary and looking to the fact that the trial against the applicant is still pending, he is in jail since more than one year and also looking to the delay in conclusion of the trial, I am of the considered opinion that the applicant deserves to be released on 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge