

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2494 of 2018

Komal Borkar S/o Kirtan Borkar Aged About 29 Years R/o- Village- Pangari,
Thana- Ambagarh Chauki, District- Rajnandgaon, Chhattisgarh., District :
Rajnandgaon, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through- Police Station- Dongargaon, District-
Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant	:	Shri Samir Singh, Advocate
For State	:	Shri Dhiraj Wankhede, Govt. Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

17/05/2018

Heard.

1. The applicant has been arrested in connection with Crime No.350 of 2017 registered in Police Station- Dongargaon, District- Rajnandgaon, for the alleged commission of offence under Section 420 read with Section 34 IPC.
2. Case of the prosecution, in brief, is that the applicant and co-accused collected Rs.3,50,000/- from the complainant in the name of providing employment.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and even according to prosecution, the applicant was not paid the whole amount of Rs.3,50,000/- and, therefore, in these circumstances when the investigation is complete, charge sheet has been filed and the punishment which could be awarded to him even if allegation is proved, at this stage, the applicant is entitled to grant of bail.
4. On the other hand, learned counsel for the State opposed the bail application.

He would submit that there is prima facie case made out against the applicant as Rs.30,000/- was deposited by the complainant in the bank account of the present applicant also.

5. Taking into consideration the submissions made by learned counsel for the parties, taking into consideration the amount involved, period of detention of the present applicant and that investigation is complete, charge sheet has been filed, I am inclined to allow the application.
6. The application is accordingly allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties for the like amount to the satisfaction of the concerned trial Court with following further conditions:
 - (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge