

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3017 of 2018

- Arnab Acharya S/o Niranjan Acharya, Aged About 30 Years, R/o Nilima Apartment Flat No. 2B First Flore Salua Ajad Hindgarh Colony Thana Airport Ward No. 8, District 24 Pargana North Calcutta, District : North Twenty Four Parganas, West Bengal

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Civil Lines, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Non-applicant

For Applicant – Shri Surfaraj Khan, Advocate.

For Non-applicant/State – Shri Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

19-06-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 07-04-2018 in connection with Crime No.799/2014 registered at P.S. Civil Lines, District Raipur, Chhattisgarh for the offence under Section 420, 406 of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 07-04-2018. No case is made out against him. No amount has been received by the applicant through advertisement made on behalf of the company. This applicant has no criminal antecedent. He is ready to abide by all the conditions to be imposed on grant of bail. Hence, it is prayed that the applicant may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application and submits that allegations against this applicant are serious in nature as he fraudulently obtained the job and fraudulently caused loss of more than 25 lacs to the complainant company. Apart from that, he is also not local resident of Chhattisgarh State. Hence, for these reasons, he is not entitled for grant of bail.

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

5. Allegation against the applicant is this that, he made use of forged certificates for obtaining job in concerned Rangila FM, Raipur. It is alleged that without performing any duty the applicant fraudulently obtained salary from the company. Thereafter, the applicant by fraud and deceit brought business of publishing advertisement in the publication of the company. As no payment was received subsequent to the publication, it was disclosed that the applicant cheated the company. It is also alleged that on false pretext that mother of the applicant was ill, he received advance Rs.2,00,000/- from the company. Later on, activities of the applicant were disclosed and the applicant absconded without depositing the laptop and other articles provided to him by the company. A written complaint was given by the present In-charge of the company to SHO, Civil Lines, Raipur and the FIR has been lodged against this applicant.

6. After consideration on the entire material present in the case diary and looking to the facts that charge sheet has been filed and no purpose would be served if the applicant is kept in detention till conclusion of the trial, I am of this opinion that this applicant should be granted regular bail during pendency of the trial against him.

7. Consequently, this application filed under Section 439 of the Cr.P.C. by the applicant is hereby 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/- with one local surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed. In case the applicant makes default in giving appearance before the concerned Court, this bail order shall automatically stand cancelled.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge