

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3166 of 2018**

Amay Yadav S/o H K Yadav Aged About 26 Years R/o Plot No. 4,
Road No.9, Sector 12, New Panvel, District Raigarh, Maharashtra.
--- **Petitioner**

Versus

State of Chhattisgarh through Police Station Kotwali Bastar, District :
Bastar(Jagdapur), Chhattisgarh
--- **Respondent**

For the applicant	:	Mr. Manoj Paranjpe, Advocate.
For the Respondent	:	Mr. Sangharsh Pandey, Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****20.06.2018**

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No.402/2016 registered at Police Station Kotwali Bastar, Distt. Bastar (C.G) for the offences punishable under Sections 420, 465, 467, 470, 471 read with section 34 of IPC.
2. As per the prosecution case, a report was lodged by one Rajeev Bajpai on 30.11.2016 that the present applicant in order to provide a Gas Agency to Rajeev Bajpai and others prepared false documents and thus by playing fraud, an amount of Rs.28,00,000/- was received, thereby the offence punishable under the aforesaid sections was committed.
3. Learned counsel for the applicant would submit that against the complainant in this case Rajeev Bajpai and the present applicant initially FIR was lodged by Neeraj Pawar on 25.04.2016 wherein the applicant was arrested in connection Crime No.125/2016 and Rajeev Bajpai and co-accused Katyayan Bajpai were shown to be absconding. Subsequently Rajeev Bajpai though was shown to be

absconding has lodged the report on 30.11.2016 against the present applicant so as to absolve himself from the liability thereby he tried to pass on allegations against this applicant. It is further submitted that in earlier crime, compromise has been effected between the present applicant and Neeraj Pawar wherein the entire criminal case has been quashed on the basis of compromise and the amount has been paid. However, on the basis of subsequent report, the present applicant is inside the jail. He further submits that the charge sheet has been filed, no further investigation is necessary and the applicant is in jail since 18.7.2017, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. Perused the case diary. Considering the facts situation and background of this case it appears that earlier in Crime no. 125/2016 compromise has been made and as an off-shoot of the fact, another complaint was made by the present complainant in arm twisting wherein this applicant has been arrested, therefore, I am inclined to allow the bail application.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**