

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3086 of 2018

- Lakhan Lal Sahu, son of Soman Lal Sahu, Aged About 32 Years, Resident Of Housing Board Colony, House No. 168, Dondekhurd, Police Station-Vidhansabha, District Raipur (CG)

**---- Applicant
(In Jail)**

Versus

- State Of Chhattisgarh, Through Station House Officer, Police Station-Golbazar, Raipur, District Raipur (CG)

---- Respondent

For Applicant	:	Mr. Pradeep Singh Rathore, Advocate
For Respondent	:	Mr. Majid Ali, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

28/05/2018

1. This is third application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested on 5.9.2017 in connection with Crime No.301/2017 registered at Police Station Gol Bazar, District Raipur (CG) for the offence punishable under Section 420/34 of the Indian Penal Code and Section 66 (D) of the Information Technology Act. His first bail application has been rejected on 27.11.2017, whereas second bail application came to be dismissed as withdrawn on 16.2.2018.
2. As per the prosecution case, a complaint was made by one Sandeep alleging that on the pretext of providing employment in State Bank of India, the applicant has obtained an amount of Rs.4,00,000/- from him. In the course of investigation, it was revealed that the applicant has also

obtained about Rs.55,00,000/- from other persons, 21 in numbers, on the pretext of providing them job in the State Bank of India.

3. Learned counsel for the applicant submits that statements of few witnesses have been recorded and they have not stated anything incriminating against this applicant. Hence, he prayed that the applicant may be released on regular bail.
4. On the other hand, learned State Counsel opposes the prayer for grant of bail.
5. While deciding the bail application, the Court is not required to go into merits of the case by appreciating the entire evidence as the same will amount to usurpation of power of the trial Court. Even, there is absolutely no change in the circumstances entitling the applicant for grant of bail. Therefore, I am not inclined to release the applicant on regular bail.
6. Accordingly, this third bail application is rejected.

Sd/-
(Goutam Bhaduri)
Judge

roshan/-