

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3114 of 2018

- Rohit Kumar Tamrakar S/o Lalit Kumar Tamrkar, Aged About 26 Years, R/o Baniyapara, Near Kankali Mandir, Durg, District Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Police Station Mohan Nagar, District Durg, Chhattisgarh., District : Durg, Chhattisgarh

----Non-applicant

For Applicant – Smt. Renu Kochar, Advocate.

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

04-07-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is second bail application before this Court filed by the applicant for grant of regular bail. His first bail application before this Court was dismissed for want of prosecution. The applicant has been arrested on 18-08-2017 in connection with Crime No.371/2017 registered at P.S. - Mohan Nagar, District Durg, Chhattisgarh for the offence under Section 420, 467, 468, 471 of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 18-08-2017. The case against him is triable by the JMFC. No case is made out against him according to the material present in the charge sheet. Hence, it is prayed that the applicant may be released on bail.

3. Learned counsel for the State/non-applicant opposes the application and submits that this applicant has cheated numerous persons and by inducement has received huge amount, hence, he is habitual offender. Therefore, the application may be rejected.

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

5. Complainant Sadashiv Prasad Hathmal has filed a complaint alleging that on the pretext that the applicant can get the complainant possession of disputed land by inducement received Rs.2,10,000/- as illegal gratification and has also by inducement received Rs.34.45 lacs from the complainant to help him in opening military college. Later on, he gave inducement to Radheshyam Verma and received Rs.63.39 lacs for getting him gas agency, petrol pump and then also issued forged papers to give effect to that offence of cheating. Hence, the FIR was lodged.

6. On perusal of the case diary, it appears that this applicant has committed the crime at huge scale, hence, for these reasons, I do not feel inclined to grant bail to this applicant.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is rejected.

Sd/-

(Rajendra Chandra Singh Samant)
Judge