

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7934 of 2017**

Demam Rajwade S/o Triveni Rajwade Aged About 51 Years
Occupation service R/o Kailashpur, P. S. Jainagar, District Surajpur
Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station
Jainagar, District Surajpur Chhattisgarh.

---- Respondent

For the Applicant : Shri Shakti Raj Sinha, Advocate.
For the Respondent/State : Shri Anupam Dubey, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****27.02.2018**

Heard.

2. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.182 of 2017, registered at Police Station – Jainagar, District – Surajpur, Chhattisgarh for the offence punishable under Sections 419, 420, 467, 468 and 471/ 34 of the Indian Penal Code.

3. Learned counsel for the applicant submits that the applicant is in jail since 20.9.2017 and he has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. The applicant is a local resident of District Surajpur and he is ready to abide by all the conditions that may be imposed on him.

Hence, it is prayed that the applicant be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application. It is submitted that according to the complaint filed against the applicant, he is the person who has by deceit helped the co-accused persons in obtaining job in S.E.C.L., Kunda/ Vishrampur in which all the co-accused persons mentioned in their applications that this applicant is their father and it is also alleged that he extorts Rs.1,00,000/- from the co-accused persons every year. Hence, it is prayed that the applicant is not entitled for bail.

5. Heard counsel for both the parties and perused the case diary.

6. A complaint was made by Hargovind alleging that co-accused persons, namely, Dhuran Ram Rajwade, Munshu Rajwade, Nemsai Rajwade, Kanwal Sai Rajwade and Rukhmani Rajwade have obtained job in S.E.C.L. falsely mentioning that this applicant – Deman Rajwade is their father. As the land belonging to Deman Rajwade, which has been acquired by the S.E.C.L., the co-accused persons obtained job as per the entitlement arising out of the acquirement of lands. The complaint was enquired by the police and finding the material evidence, FIR was registered against the applicant and the co-accused persons.

7. Considered the copy of the application attached in the case-diary that the father's name mentioned by the co-accused persons shows that their father was dead when the application was filed and there is no specific

evidence regarding the extortion of money by the applicant. The allegation against this applicant shall be examined in detail by the trial Court but for the present, this application deserves to be allowed.

8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

9. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge