

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 609 of 2018**

- Maha Prasad S/o Bandhuran Aged About 62 Years R/o Village Chapota, Police Station Raghunath Nagar, District Balrampur-Ramanujganj Chhattisgarh, District : Balrampur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Raghunathnagar, District Balrampur-Ramanujganj Chhattisgarh, District : Balrampur, Chhattisgarh

---- Respondent

For the applicant : Mr. A.K. Yadav, Advocate.
 For the respondent/State : Mr. Sameer Behar, G.A.

Hon'ble Shri Justice Ram Prasanna Sharma
Order on Board

18-7-2018.

1. The applicant has preferred this bail application under Section 438 of the Cr.P.C. for grant of anticipatory bail as he apprehends his arrest in connection with Crime No. 16/2018, registered at Police Station Raghunath Nagar, District Balrampur, Ramanujganj (CG) for the offence punishable under Section 420 of the I.P.C.
2. As per prosecution case, the applicant induces Radhe Pando, Devidayal Pando, Ramashamkar Pando, Brajesh Kumar, Ramlakhan, Ramnarayan and Rajendra Gurjar for making Patta (lease deed) in their favour from the Revenue authorities for the land occupied by them and by deceiving, collected amount of Rs.15,000/-, Rs.5,000/-, Rs.10,000/- from each of them. The applicant is not the authority for making the Patta. The applicant by deceiving fraudulently and

dishonestly received the amount from the above complainants and there is prima facie evidence against him.

3. Learned counsel appearing for the applicant submits that the offence is alleged to have been committed in the year 2006 and now they complaining in the year 2018. He submits that the applicant has been falsely implicated in the case. He prays that the applicant may be extended benefit of Section 438 Cr.P.C.
4. On the other hand, learned State counsel opposes the bail application. He submits that there is sufficient material against the applicant for deceiving number of persons.
5. I have heard learned counsel for the parties and perused the case diary with utmost circumspection.
6. Considering the facts and circumstances of the case and particularly considering the fact that there is prima facie evidence against the applicant, without further commenting on merits, I am of the opinion that present is not a fit case to extend the benefit of Section 438 Cr.P.C. to the applicant.
7. Accordingly, the bail application filed under Section 438 of the Cr.P.C. is rejected.

**Sd/
(Ram Prasanna Sharma)
JUDGE**