

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 3671 of 2018**

- Santkumar Kanojiya S/o Late Shri Satyanarayan Kanojiya Aged About 26 Years R/o- Ashray Parisar, Sirgitti, Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through- Police Station Tar Bahar, Bilaspur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

**---- Respondent**

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For Applicant : Mr. Pawan Kesharwani, Advocate.

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**  
**Order On Board**

**03/07/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.419/2017 registered at Police Station- Tar Bahar, District – Bilaspur(C.G.) for the offence punishable under Sections 420, 294 & 506/34 of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 30.12.2017. No case is made out against him. Charge-sheet has been filed after completion of investigation. The case is triable by JMFC against the applicant. Similarly placed co-accused Amresh @ Pintu

and Satrugan @ Bunt have been granted bail by the co-ordinate Bench of this Court, hence, it is prayed that applicant may also released on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. According to prosecution case, this applicant has by inducement received Rs.50,000/- from the complainant S. Vishwakarma on pretext that he will arrange for his appointment and thereafter no employment was provided to the complainant, total amount of Rs.2,50,000/- was received by this applicant and the co-accused persons from the complainant and other aggrieved persons. Hence, this case.
6. After considering on all the material present in the case diary and considered this fact that similarly placed co-accused persons have been granted bail by the co-ordinate Bench of this Court. This applicant does not have a criminal antecedent, for these reasons, I am of this view that applicant should be granted regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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