

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4814 of 2018

- Pushkar Sahu S/o B.R. Sahu Aged About 35 Years R/o- Ward No. 47, Nutan Chowk, Sarkanda, P.S. Sarkanda, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- The Station House Officer, Police Station Rajim, District- Gariyaband, Chhattisgarh., District : Gariyabandh, Chhattisgarh

---- Respondent

For Applicant : Mr. Raghvendra Pradhan, Advocate.

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

14/08/2018

1. 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.177/2017 registered at Police Station– Rajim, District– Gariyaband(C.G.) for the offence punishable under Section 420/34 of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. He is in jail since 9.3.2018. No case is made out against him. Hence, it is prayed that applicant be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that the applicant has cheated a number of persons on pretext that he will get them appointed to the post of Peon, hence, he is not entitled for grant of bail.
4. Heard both the parties and perused the case diary.
5. The allegation against this applicant is this, that he received from the complainant and 13 others amount of Rs.19,20,000/- by putting under inducement on pretext that he will arrange all of them to be appointed to the post of Peon. Neither the complainant and other persons were appointed and nor the amount has been refunded by the applicant. Hence, this case.
6. Considered the entire material present in the case diary, and the case is presently before the trial Court and the trial is likely to take some time before its conclusion, for these reasons, I am of this view that this is a fit case where applicant should be released on 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. In case any default is committed by the petitioners in appearing before the concerned trial Court this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge