

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 5797 of 2018

- Shivji Yadav S/o Late Jiut Yadav Aged About 28 Years Occupation- Employee Of Police Department, Present R/o- Vijeta Complex, New Rajendra Nagar, Ward No. 13, Raipur, Post Office- Raipur, Police Station- New Rajendra Nagar, District- Raipur, Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For Applicant	: Shri Shivendu Pandya, Advocate.
For Respondent/State	: Shri N.K. Sharma, Dy. GA.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

07/09/2018

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 124/2018, registered at Police Station Rajim, District Gariyaband (C.G.) for the offence punishable under Section 420/34 of the IPC.
2. As per the prosecution story, on 17.04.2018, complainant Rikhi Ram Sahu lodged a written complainant against co-accused Komal Ram Netam, wherein, it was alleged that Komal Ram Netam obtained money total Rs. 20,94,000/- from the complainant and other villagers for providing them government job in the Arm Forces Jabalpur but, nor he provided them any job nor he returned their money. On the basis of above, offence has been registered. During the course of investigation, memorandum statement of the applicant was recorded. On the basis of the said memorandum statement, it revealed that on being asked by the applicant, Komal Ram Netam took money from the complainant and other villagers on the allurement that they will be get

employed.

3. Shri Shivendu Pandya, learned counsel appearing on behalf of the Applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the main role has been played by co-accused Komal Ram Netam not the applicant in committing the fraud with the complainant and the other villagers. Applicant is in custody since 17-06-2018, charge-sheet has been filed and trial will take some time. Therefore, he may be released on bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the main accused is the co-accused, applicant is in custody since 17-06-2018, charge-sheet has been filed and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge