

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6700 of 2018

Hasan Khan, S/o. Hasunuddin, Aged About 33 Years, Caste Muslim, R/o. Village Baklitola, Police Station Daundi, District - Balod, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Out Post Mohara, Police Station Dongargarh, District - Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant : Mr. S.S.Baghel, Advocate

For Respondent : Mr. D.R.Minj, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

09.10.2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.303/2014 registered at Out Post- Mohara, Police Station- Dongargarh (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 34 of the Indian Penal Code.
2. As per the prosecution case, the present applicant along-with other co-accused obtained Rs.85,000/- from the complainant and three other persons namely Radhelal, Taran Verma & Durjan to provide them Government job and eventually the same was not done.
3. Learned counsel for the applicant would submit that the FIR is of 2014 for the incident of 30.07.2014 and the other similarly placed co-accused has been granted bail by the learned Court below in 2014, therefore, the present applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail and would submit that the applicant was absconding and he was arrested lately on 12.08.2018.
5. Perused the case diary and the documents. Considering the fact that the applicant was absconding since 2014, I do not find it to be a fit case to release the applicant on bail. Accordingly, the instant bail application filed under Section 439 of Cr.P.C. is dismissed. However, the applicant is at liberty to repeat the same after examination of the complainant.

Sd/-
(Goutam Bhaduri)
Judge