

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7466 of 2017

- Ajay Indulkar S/o Kashinath Indulkar, Aged About 30 Years R/o Ram Nagar Sikola Bhatha, Police Station Mohan Nagar, Tehsil And District Durg, Chhattisgarh., Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through District Magistrate, Durg, District Durg, Chhattisgarh., Chhattisgarh

---- Respondent

For Applicant : Mr. Sanjay Kumar Agrawal, Advocate.
For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate.

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

16/01/2018

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.474/2016, registered at Police Station– Mohaan Nagar, District– Durg(C.G.) for the offence punishable under Sections 420, 47, 468 & 471/34 of Indian Penal Code (for short 'IPC').
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 23.9.2016. The co-accused persons Rajesh Jana and Mahesh Rangari have been granted bail by the co-ordinate Bench of this Court. Applicant has also a similar case as there is no progress in the trial before the concerned Court. 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 applicant is the main accused. It was by his inducement that the complainant and others paid huge amount to get job then they were provided with fake documents. Hence, applicant is not entitled for grant of regular bail.
4. Heard both the parties and perused the case diary.
5. As the case is this that complainant Nishesh Kumar Singh has lodged FIR against the applicant and another alleging that on the inducement given by applicant Ajay Indulkar, he deposited Rs.1,14,000/- in SBI account No.050410253949 of Tarkesh Jana. Later on, he came to know that he has been cheated and the complaint was filed.
6. Considered the submissions made and contents of the case diary and that the applicant is local resident of the locality whose availability before the trial Court shall not be compromised if he is enlarged on bail and this fact that in similar cases the accused persons have been benefited with grant of regular bail by Co-ordinate Bench of this Court, hence, this case cannot be singled out as a different case, hence, taking into consideration these facts, the application is allowed.
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

