

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7652 of 2017

- Samsad Ansari S/o Late Gulbahar Ansari, Aged About 27 Years R/o Sonehara, P.S. Dandai, District Gadhwah Jharkhand, Jharkhand

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Basantpur, District Balrampur, Chhattisgarh, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Sumit Jhanwar, Advocate.
For Respondent/State	:	Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

13/02/2018

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.88/2016, registered at Police Station- Basantpur, District – Balrampur(C.G.) for the offence punishable under Sections 420, 467, 468, 471, 34 of Indian Penal Code (for short 'IPC') and Section 3(2-5) Atrocities Act.
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. No case is made out against this applicant on the basis of the complaint, FIR and the evidence collected during investigation. He is ready to abide by all the conditions and directions, which may be imposed while granting bail to 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 applicant is equally responsible for the offence committed in collaboration with co-accused persons namely Ansar Alam & Saloni Pandey, hence, he is not entitled for grant of regular bail.
4. Heard both the parties and perused the case diary.
5. Thirteen persons made a written complaint to Police Station Basantpur, District Balrampur alleging in it that on the basis of one advertisement got published by main accused Ansar Alam, they approached him, who, in turn, informed them that he is a Health Coordinator of Manav Swasthya Saksharta Scheme floated by the Government of Chhattisgarh and he is responsible for the Surguja Division. A training was imparted to the complainants by present applicant and after completion of training, main accused Ansar Alam informed the complainants that since they have not been able to secure more than 75% marks, necessary to get a job, the enhancement of marks is required, which he can arrange for them subject to payment of Rs.15,000/- to him by each of the complainants. Consequently, each of the complainant deposited Rs.12,500/- with main accused Ansar Alam. Thereafter the complainants met with one Saloni Pandey for obtaining certificates and came to know about the fraud committed with them and therefore they lodged the complaint. After completion of investigation, charge-sheet has been filed.
6. Considered.
7. Considering the contents of FIR, statement of witnesses and further considering the role played by this applicant i.e. of imparting training to

the complainants at the instance of main accused Ansar Alam, I am of this view that he should be benefited with grant of regular bail.

8. Accordingly, the bail application 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 Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha