

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7947 of 2017

- Harish Chandra Vishwas, Son of Late Amar Vishwas, aged about 36 years, Resident of Plot No. 195, Road-3, Hind Nagar Risalli, Police Station Newai, Tehsil & Revenue District Durg (C.G.).

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station, Newai, Civil and Revenue District-Durg (C.G.).

---- Respondent

For Applicant		:Mr. Sunil Verma, Advocate.
For Respondent	:	Mr. Anupam Dubey, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

30/01/2018

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. 118/2017, registered at Police Station– Newai, Civil and Revenue District Durg (C.G.), for the offence punishable under Sections 420, 467, 468, 471, 34 of Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant's name does not find mention in the FIR lodged by the complainant. FIR has been lodged on 30.05.2017 after the sufficient delay from the date of the incident and in which totally false allegations are made against him, hence, it is prayed that he may be granted regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that applicant presented himself to be the Head of the Department in the Swami Vivekanand Technology University, Bhilai and thus helped the main accused person to cheat the complainant because of which he is not entitled for grant of regular bail.
4. Heard both the parties and perused the case diary.
5. The allegation against the applicant and other Co-accused is that they induced the complainant that he can be engaged in job by main accused- Abhijeet Wardhan who proposed himself to be Councillor of the University and they by inducement received Rs. 4, lakh, 33 thousand from the complainant. Another 90, thousand was also received on the other pretext. As the complainant could not get any job, he has lodged the FIR.
6. Considered on the submissions and the contents of the case diary, taking into consideration the allegations made against the applicant and the fact that the applicant is languishing in jail since long and the trial is likely to take some time for its conclusion, I am of this view that this is a fit case where the applicant should be enlarged 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.

Sd/-
(Rajendra Chandra Singh Samant)
Judge