

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 386 of 2019**

Kunal Tandan, son of Shri Bhagman Tandan, aged about 22 years, R/o House no. 133, Frant Housing Board Colony Boriyakala Sadani Darbar, Raipur, Tahsil and District Raipur (CG). **---- Applicant**

Versus

State of Chhattisgarh, through Police Station Devendra Nagar, Raipur, District Raipur (CG). **---- Non-applicant**

For Applicant	: Mr. D.L. Dewangan, Advocate
For Non-applicant	: Ms. Sangeeta Mishra, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

04.02.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court.
2. Perused the case diary provided by the counsel for the State in connection with Crime No.230/2018 registered in Police Station Devendra Nagar Raipur, District Raipur for the offence punishable under Section 420 of Indian Penal Code.
3. Case of the prosecution, in brief, is that the applicant had obtained some documents from complainants Chandra Bai, Geeta Bai Jangde, Tanu Chouhan, Rakesh Markande, Takeshwar Prasad and others saying that he will provide them house under Indira Awas Yojna. On the strength of documents of the said complainants, he obtained so many articles by finance.
4. Counsel for the applicant submits that the applicant has not committed any offence and has been falsely implicated in the case and as such the applicant may be released on bail.
5. On the other hand, counsel for the State opposes the bail application, however, he submits that no criminal antecedent is reported against the applicant in police case diary.
6. Looking to the above mentioned facts and circumstances of the case, looking to the numbers of complainants, looking to the seriousness of the offence; and looking to the impact of granting bail to the applicant on society, this Court is not inclined to give benefit of Section 439 of the Cr.P.C. to the applicant. Consequently, the bail application is rejected.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-