

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 451 of 2019**

Prince Gupta, S/o Dhruv Gupta, aged about 25 years, R/o 4/14, Chauhan Town, Nehru Nagar, Bhilai, District Durg (CG). **---- Applicant**

Versus

State of Chhattisgarh, through Station House Officer, Police Station Supela, District Durg (CG). **---- Non-applicant**

For Applicant	: Mr. Akshay Soni, Advocate
For Non-applicant	: Mr. Vikram Dixit, Government Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

08.02.2019

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.1027/2018 registered in Police Station Supela, District Durg for the offence punishable under Section 420 of Indian Penal Code.
3. Case of the prosecution, in brief, is that the applicant had received Rs.24 lakhs from the complainant Rajendra Dewangan giving the assurance to him that he will get admission to his son Yogendra Dewangan in KIMS Medical College Bangalore for M.B.B.S, but instead of it, he neither got admission in Medical College nor returned back the said amount.
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. He submits that three criminal cases have already been registered against the applicant.
6. Looking to the above mentioned facts and circumstances of the case, 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