

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 813 of 2019

- Rakesh Kumar Saha S/o Shri Vishnu Prasad Saha Aged About 32 Years R/o M/Q 419-A, Dipka Colony, Azad Chowk, Gevera Project, Police Station Dipka, District Korba Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station Dipka, District Korba Chhattisgarh

---- Respondent

For Applicant : Ms. Upasana Mehta, Advocate.
For Respondent/State : Mr. Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

19/03/2019

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 243/2018, registered at Police Station – Dipka, District- Korba (C.G.) for the offence punishable under Section 420 & 34 of the IPC.
2. As per the prosecution story, report has been lodged by complainant Lekhraj wherein it has been stated that he and the applicant knew each other from college days. It has been alleged that the applicant had given inducement to the complainant for getting job in SECL and by showing the loan guide of SECL to the complainant taken him to the office of SECL, where the applicant introduced the complainant to officers of SECL Department namely GVN Sharma and one Avinash Shukla and they have given assurance to the complainant that if he will arrange Rs. 5,00,000/- then they will arrange a job for him. For the said purpose, complainant had given Rs. 7,00,000/- to GVN Sharma

and Avinash Shukla but neither they provide him job nor they returned his money. Allegation against the applicant is that he introduced the complainant to the said SECL officers. The applicant is in custody since 30.11.2018.

3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case, the applicant himself cheated by the other co-accused persons. She further submits that the incident is of the year 2015 and the FIR has been lodged in the year 2018. Other co-accused persons are absconded. The applicant is in custody since 30.11.2018 and trial is likely to take some time. Therefore, he may be released on bail.
4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the applicant is in custody since 30.11.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the Applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge