

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1230 of 2019**

Sheikh Aslam S/o Salamat Raza Aged About 27 Years R/o Village Parpodi, Behind, Anganbadi, P. S. Parpodi, District Kabirdham (Kawardha) Chhattisgarh At Present R/o Chourasiya Colony Gali, No. 3, House Of Akaram, Behind Simaram City P. S. Tikrapara District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Tikrapara District Raipur Chhattisgarh, District : Raipur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Shubham Tripathi, Advocate
For the State	:	Ms. Sangeeta Mishra, Govt. Adv.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**07/03/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.545/2018 registered at Police Station Tikrapara, District Raipur (C.G.) for the offence punishable under Sections 420, 34 of IPC.
3. Case of the prosecution, in brief is that co-accused Pokhendra Patel had told complainant Bharat Lal Patel that applicant will provide job of Peon. Complainants Bharat Lal Patel, Ritesh patel, Hariram Kalihari, Virendra Sahu, Netram Rajak, Bhuneshwar Sahu, Vedan Kumar Patel, Thaneshwar Patel, Nankuram Patel, Dhalesh Kumar Patel, Naresh Patel, Sanjay Patel and Tikesh Patel had given the handsome amount to co-accused Pokhendra Patel. Co-accused Pokhendra Patel received Rs.30,31,500/- from the complainants. When the complainants did not get the job, then the complainants met with applicant with the help of co-accused Pokhendra Patel. Applicant promised them that he will provide job very soon.
4. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He

further submits that no criminal antecedents against the applicant.

6. Counsel for the applicant further submitted that alleged entire amount has been received by the co-accused Pokhendra Patel, applicant has not promised to anyone for the job, thus he may be released on bail.
7. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde