

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5410 of 2019

- Mohammad Barik S/o Shri Mohammad Farrukh, Aged About 37 Years, R/o Ward No.15 Patper Dafai Jhagrakhand, Police Station Jhagrakhand, Tahsil Manendragarh, Distict- Korea Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Jhagrakhand Tahsil Monendragarh, District- Korea Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh

----Non-applicant

For Applicant – Ms. Deepali Pandey, Advocate.

For Non-applicant/State – Ms. Akansha Jain, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

03-10-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 05-07-2019 in connection with Crime No.16/2019 registered at P.S. -Jhagrakhand, District Korea, Chhattisgarh for offence under Section 420, 467, 468, 120-B, 34 of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 05-07-2019. No case is made out against this applicant. This applicant has not received any monetary benefit from the complainant, he has only helped the complainant to meet with other co-accused persons who had given assurance for getting him appointed to a job and received the amount. The applicant is local resident of Manendragarh, District Korea. Therefore, it is prayed that the applicant may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that it is a case of huge fraud in which this applicant was actively

connected. Therefore, he is not entitled for grant of bail.

4. Heard learned counsel for the parties and perused the case diary.

5. According to the prosecution case, this applicant gave inducement to complainant Riyajuddin Ansari that he has acquaintance with influential person in Delhi and he can get him appointed to the job of Ticket Checker in Railways. Thereafter, the complainant went to Delhi with this applicant and met with co-accused Abdul Rahman and Abhinit Yadav who gave assurance that the complainant will be got appointed and thereafter amount of Rs.10,20,000/- was transferred into the bank account of Abdul Rahman. Subsequent to which, an appointment letter was given to the complainant which was found forged. There is further allegation that in similar fashion this applicant in collaboration with co-accused persons has cheated Nikhat Parveen and received Rs.9,91,500/-, Rashmita Mahapatra by receiving Rs.7,30,000/- from her and Chanda Nishad by receiving Rs. 6,00,000/- from her by way of inducement and also they are also provided with forged appointment letters. Hence, this case.

6. On perusal of the case diary, it is found that this applicant acted in collaboration with the co-accused persons and had been active in leading the complainant and aggrieved persons to the co-accused persons for getting cheated. Therefore, for these reasons and looking to the huge amount involved in commission of offence in this case, I do not feel inclined to allow.

7. Consequently, the application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is rejected.

Sd/-

(Rajendra Chandra Singh Samant)
Judge