

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 9417 of 2018

- Komal Ram Netam S/o Tiharu Ram Netam Aged About 45 Years R/o Village Kolihatad Koundhkera, Post Office And Police Station -New Rajim, District Gariyaband Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station -Rajim District Gariyaband Chhattisgarh.

---- Respondent

For Applicant	: Shri Shivendu Pandya, Advocate.
For Respondent/State	: Shri Along Nigam, GA.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

10/01/2019

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. 124/2018, registered at Police Station Rajim, District Gariyaband (C.G.) for the offence punishable under Section 420/34 of the IPC.
2. As per the prosecution story, on 17.04.2018, complainant Rikhi Ram Sahu lodged a written complainant against the present applicant, wherein, it was alleged that the applicant obtained money total Rs. 20,94,000/- from the complainant and other villagers for providing them government job in the Arm Forces Jabalpur but, nor he provided them any job nor he returned their money. On the basis of above, offence has been registered. During course of investigation, it was found that co-accused Shivaji Yadav was also involved in the said offence. The applicant is in custody since 17.04.2018.
3. Shri Shivendu Pandya, learned counsel appearing on behalf of the

Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that the co-accused Shivaji Yadav has already granted benefit of bail by this Court vide order dated 07.09.2018 passed in MCRC No. 5797/2018. The Applicant is in custody since 17-04-2018, charge-sheet has been filed and trial will 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.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the co-accused Shivaji Yadav has already granted benefit of bail by this Court. The Applicant is in custody since 17-04-2018, charge-sheet has been filed and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release him 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