

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.3844 of 2020**

1. Bharatlal Kashyap S/o Gendlal Kashyap Aged About 45 Years R/o Village Hasoud, Police Station Hasound, District- Janjgir-Champa, Chhattisgarh
 2. Deepak Kashyap S/o Bharatlal Kashyap Aged About 24 Years R/o Village Hasoud, Police Station Hasound, District- Janjgir-Champa, Chhattisgarh
 3. Dilip Kashyap S/o Bharatlal Kashyap Aged About 26 Years R/o Village Hasoud, Police Station Hasound, District- Janjgir-Champa, Chhattisgarh
 4. Arjun Berman S/o Dujram Berman Aged About 42 Years R/o Village Hasoud, Police Station Hasound, District- Janjgir-Champa, Chhattisgarh
- Applicants**

Versus

State Of Chhattisgarh Through District Magistrate, Janjgir-Champa, Chhattisgarh And Also Through Police Station, Hasoud, District- Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicants	:	Shri Pushpendra Kumar Patel, Advocate
For Respondent/State	:	Shri Alok Bakshi, Additional A.G.
For Objector	:	Shri M.K. Beg, Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

25/08/2020

Heard.

1. At the outset, learned counsel for applicants seeks to withdraw the application of **applicant No.4/Arjun Berman**.
2. Accordingly, the application of **applicant No.4/Arjun Berman** is dismissed as withdrawn.
3. The applicants have been arrested in connection with Crime No.101 of 2020 registered at Police Station- Hasoud, District Janjgir-Champa (CG) for the alleged commission of offence under Section 120-B, 420, 467, 468, 471 of IPC.

4. Case of the prosecution is that the applicants and another co-accused hatched conspiracy to cheat the complainant and many other persons desirous of seeking public employment. It is alleged that brother-in-law of complainant, co accused, contacted with the complainant and assured him to get employment in railways and for this purpose, introduced the complainant to the present applicants and co-accused. It is alleged that the applicants and another co-accused gave an impression that they got successfully managed to get appointment orders and job in railways whereafter complainant gave a total amount of Rs.10,00,000/- to one of the co-accused in the presence of Bharatlal Kashyap, Deepak Kashyap and Dilip Kashyap.
5. Learned counsel for the applicants would argue that even according to the complainant, the assurance of getting job was given to the complainant by his brother-in-law/Panna Lal, another co-accused and the allegation of giving money is to one of co-accused Arjun Berman and not to the present applicants. Therefore, at this stage, the applicants may be granted bail as investigation is complete and charge-sheet has been filed.
6. On the other hand, learned counsel for the State and Objector oppose the prayer and submit that it is a case of big conspiracy hatched by present applicants and another co-accused to cheat large number of persons including complainant by exploiting money from them on the assurance of them providing public employment in railways which is a serious offence. The accused persons have prepared fabricated appointment orders and in thus manner, they have substantially damaged the public employment scheme by cheating people and committing offences of a forgery.
7. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration the submission that the assurance of appointment is said to be given by complainant brother-in-law/Panna Lal and according to the complainant, money was given to Arjun Berman and further taking into consideration that the involvement of the applicants Bharatlal Kashyap, Deepak Kashyap and Dilip Kashyap is on the basis that they had shown appointment orders issued in favour of Deepak

Kashyap and Dilip Kashyap, which according to prosecution, there are fabricated orders and that the investigation is complete and charge-sheet has been filed, it is a fit case for grant of bail, the application of applicant No.1/**Bharatlal Kashyap, Applicant No.2/Deepak Kashyap and Applicant No.3/Dilip Kashyap** is allowed.

8. It is directed that the **applicant No.1/Bharatlal Kashyap, Applicant No.2/Deepak Kashyap and Applicant No.3/Dilip Kashyap** shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:

- (i) The applicants shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (ii) The applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge