

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5488 of 2020**

- Amardas Manikpuri S/o Jhurudas, Aged About 34 Years R/o Village Kachanda, P.S.- Jaijaipur, District- Janjgir-Champa, Chhattisgarh,

---- Applicant**Versus**

- The State Of Chhattisgarh Through The District Magistrate, District- Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Kalyan Kalamkar, Advocate.
For State	:	Ms. Veena Nair, Deputy Govt. Advocate

Hon'ble Shri Justice Gautam Chourdiya**Order On Board****24-11-2020**

1. The applicant has preferred this bail application under Section 439 of Cr.P.C., as he has 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.
2. Case of the prosecution is that the applicant 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 applicant and co-accused. It is alleged that the applicant 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 co-accused in the presence of present applicant.

3. Learned counsel for the applicant 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 applicant. He further submits that the investigation is complete and charge-sheet has been filed. He would further submit that the case of the present applicant is similar to the case of other co-accused namely Bharatlal Kashyap, Deepak Kashyap and Dilip Kashyap who have already been granted bail by order dated 25-8-2020 passed by the co-ordinate bench of this court in M.Cr.C.No. 3844 of 2020, therefore, the applicant may also be granted bail on the same ground.
4. On the other hand, learned counsel for the State submits that it is a case of big conspiracy hatched by present applicant 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 person has prepared fabricated appointment orders and in thus manner, he has substantially damaged the public employment scheme by cheating people and committing offences of a forgery.
5. 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 applicant is on the basis that he had shown appointment orders issued in favour of co-accused 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 and further considering the fact

that the other co-accused have already been granted bail by the co-ordinate Bench of this Court, I am of the opinion that it is a fit case for grant of bail.

6. Accordingly, the application is allowed and it is directed that the applicant shall be released on bail on his 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 applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (ii) The applicant 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/-

(Gautam Chourdiya)

Judge

Raju