

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2399 of 2021

Sanjay Naydu S/o Shri Surykant Naydu Aged About 35 Years R/o
Near Bus Stand, behind the hospital, Katghora, Police Station
Katghora, District Korba Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Police Station Champa District
Janjgir- Champa Chhattisgarh

---- Respondent

For applicant - Shri Alok Kumar Gupta, Advocate.
For Respondent/State – Shri Ashish Tiwari, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

26/07/2021

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.366/2014 registered in Police Station Champa, District Janjgir-Champa (C.G.) for offence punishable under sections 467, 468, 471, 420, 409, 34 IPC & Section 66(c), 66(d) IT Act.
2. As per the prosecution case, the applicant alongwith other accused while working as a contractor in CSPDCL submitted forged bills and initially withdrew an amount of Rs.4,62,243/- and then Rs.24,87,871/- and thereafter the total amount of Rs.1,49,79,513/- in different crime numbers were withdrawn.
3. Learned counsel for the applicant submits that the applicant has surrendered on 5/01/2021 and the other co-accused have been enlarged on bail by this court in M.Cr.C. No.2011/2018 on 8/05/2018. It is submitted that one of the other co-accused has been enlarged on bail by the Supreme Court, therefore the present applicant may also be released on bail.

4. Learned State counsel opposes the prayer for grant of bail and would submit that other co-accused have been enlarged on bail on the ground that they were in incarceration from 2015 and therefore under this ground the bail was granted to Sunit Kasde the other co-accused on 8/05/2018, this applicant was absconding, therefore the applicant may not be enlarged on bail.

5. The incident was of 2013-2014. The charge sheet was against the allegation that the present applicant out of the forged bill withdrawn Rs.9,96,300/-, charge sheet was filed in the year 2015, the applicant is also named in the FIR. Considering the fact that the applicant was absconding and recently he has surrendered on 5/01/2021, therefore the bail granted to the other co-accused cannot be applied on the parity as they were granted bail after considerable period was spent in the jail, therefore would be counter productive and would encourage people to abscond, therefore at this stage this court is not inclined to release the applicant on bail.

6. Accordingly, the bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE