

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

(Proceeding through Video Conferencing)

M.Cr.C. No. 3016 of 2021

- Prabhu Deep Singh @ Arvind Singh Gangwar S/o Brijpal Singh, Aged about 35 years, R/o 13 Shaktinagar, Pilibhit Bypass, District Bareilly, U.P.

---- Applicant

Versus

- State of Chhattisgarh, through : Station House Officer Police Station Koni, District Bilaspur, Chhattisgarh

---- State/Non-applicant

For Applicant	:	Ms. Sareena Khan, Advocate
For Non-Applicant/State	:	Shri Adil Minhaz, Government Advocate
For Objector	:	None is connected through video conferencing.

Hon'ble Shri Justice Gautam Chourdiya, J

Order on Board

12.08.2021

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 23.12.2020 in connection with Crime No. 245/2020 registered in Police Station Koni, District Bilaspur (CG) for the offence punishable under Section 420/34 of IPC.
2. As per prosecution case, the present applicant alongwith two other co-accused persons has illegally obtained amount of Rs.82 lacs from Tarun Sahu, Bhagwat Sahu and Deepk Sharma for providing various admission on reserved seats of central pool quota in Private Medical College and thereby committed the said offence.
3. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in this case. She submits that the applicant has not played any role in alleged offence and there is no direct proof of his involvement in the alleged crime and no any record is available regarding depositing of such amount in account of the present applicant. She also submits that there is no likelihood of the applicant tampering with the prosecution evidence or absconding, he is in jail since 23.12.2020, charge-sheet has already been filed and due to Covid-19 pandemic, trial is

likely to take some time for its final disposal. Therefore, the applicant be released on bail by this Court.

4. On the other hand, learned counsel for the Non-Applicant/State opposes the bail application and submits that as per charge-sheet, there many criminal antecedents of the applicant alongwith two other co-accused in Chhattisgarh State and other States.
5. On the last date of hearing i.e. 27.07.2021, Shri Suresh Tandon, learned counsel appeaed for the objector, had submitted that there are many criminal antecedents of the applicant. Learned counsel for the objector had filed covering memo dated 27.07.2021 regarding criminal antecedents of the applicant alongwith two other co-accused persons in which it is mentioned that there are number of cases pending against the applicant i.e. Cr.No.905/2020 registered in P.S. Kotwali, Ambikapur under Section 420/34 of IPC; Cr. No. 02/2020 registered in P.S. Pakhanjur, Kanker under Section 420 of IPC & Section 66 (D) of I.T. Act; Cr.No. 402/2020 registered in P.S. Mathura under Section 420 & 406 of IPC; Cr.No. 16/2019 registered in P.S. Barakhamba Road, New Delhi under Section 420, 406, 468 of IPC etc.
6. Considering the facts and circumstances of the case, looking to the nature of allegations made against the present applicant regarding cheating for providing admission in private medical college and illegally obtained 82 lacs from Tarun Sahu, Bhagwat Sahu and Deepk Sharma, and that number of criminal antecedents of applicant in Chhattisgarh State and other States, I am not inclined to grant bail to the applicant.
7. Accordingly, the bail application is dismissed.

Sd/-
(Gautam Chourdiya)
Judge