

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

(Proceedings through Video Conferencing)

M.Cr.C. No. 3340 of 2021

- Surya Ratre @ Raja aged about 21 years, S/o- Balram Ratre, R/o- Kohrouda, Satnami Para, Police Station – Bilha, District Bilaspur (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through Station House Officer, Police Station – Golbazar, District - Raipur (C.G.)

---- State/Non-Applicant

For Applicant	:	Smt. Fouzia Mirza, Senior Advocate
For Non-Applicant/State	:	Shri Anand Verma, Deputy Government Advocate

Hon'ble Shri Justice Gautam Chourdiya, J
Order on Board

16.07.2021

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 20.02.2021 in connection with Crime No. 16/2021 registered in Police Station- Golbazar, District Raipur (CG) for the offence punishable under Sections 419, 467, 468 & 471 of IPC and Section 66 (d) of I.T. Act 2000.
2. As per prosecution case on 21.01.2021 a complaint was received that the medical students are being misguided in the name of allotment of seats for MBBS course (4-6 years) for July 2020-2021 sessions by overseas scholarship initiated by the Directorate of Medical Education, Raipur. During investigation the present applicant was arrested and his mobile-phone was seized. Allegation against the applicant is that he sent email through fake email ID in the name of cgheathminstry@gmail.com on 21.01.2021 from his mobile-phone regarding allotment of MBBS seats in lieu of Rs.30,000/-.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime, he has no criminal antecedents, he is languishing in jail since 20.02.2021, charge-sheet has been filed and due to Covid-19 pandemic, conclusion of the trial is likely to take some time. Therefore, the

applicant be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application and submits that the applicant has no criminal antecedents.
5. I have heard learned counsel for the parties.
6. Having regard to the facts and circumstances of the case, considering the nature of allegation made against the applicant, the detention period of the applicant who is 21 years old, the fact that the applicant has no criminal antecedents, there is no likelihood of the applicant tampering with the prosecution evidence or absconding as admitted by both the counsels and charge-sheet has already been filed, due to covid-19 pandemic, conclusion of trial may take some time, without commenting anything on merits of the case, the application is allowed.
7. It is directed that in the event of applicant executing a personal bond for a sum of Rs.1,00,000/- with two sureties of Rs.50,000/- each to the satisfaction of the concerned Trial Court, he shall be released on bail, on following conditions :-
 - i. he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such fact to the Court.
 - ii. he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
 - iii. he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
 - iv. he shall strictly follow the COVID-19 protocol issued by the Central Government / State Government / Local Authority.
 - v. he shall not involve himself in any offence of similar nature in future.
8. Let a copy of this order be forwarded to the concerned Police Station forthwith who shall inform the trial Court in the event of applicant involving himself in similar nature of offence.

Sd/-
(Gautam Chourdiya)
Judge