

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6721 of 2021

Punaram S/o Chamru Gond Aged About 36 Years R/o Singhanpuri, Police Station Sahashpur Lohara, Tehsil Sahashpur Lohara, District Kabirdham Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Sahashpur Lohara, District Kabirdham Chhattisgarh

---- Respondent

For Applicant	:	Shri Mohit Kumar, Advocate
For State	:	Shri Lalit Jangde, Dy. Govt. Advocate

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

Order On Board

10/09/2021

Heard.

1. The applicant is arrested in connection with Crime No.40/2020 registered in Police Station- Sahaspur/Lohara, District- Kabirdham (CG) for alleged commission of offence under Sections 420, 467, 468, 471, 34 IPC.
2. This is the repeat bail application of the applicant. His earlier bail application was dismissed as withdrawn.
3. Case of the prosecution, in brief, is that the applicant and co-accused, by cheating number of persons that they will get employment arranged for them, collected huge amount of Rs.70 lakh and out of that amount, it is stated that the applicant received Rs.6 lakh.
4. Learned counsel for the applicant would submit that in the present case, the

applicant has remained in jail since 20.3.2020 and even after one year and six months, the trial has not been concluded. He submits that some of the prosecution witnesses including complainants have also been examined and their evidence does not show involvement of the applicant as has been alleged by the prosecution. Therefore, at this stage, the applicant may be granted bail.

5. On the other hand, learned counsel for the State opposed the application and submits that from the charge and allegation made by the complainants in the case, it is prima facie revealed that the applicant and co-accused were involved in cheating number of persons and collecting a total amount of Rs.70 lakh on the assurance of providing employment, but, later on, the applicant and co-accused were arrested and statements of the victims have also been recored who have paid amount to the applicant and other co-accused.
6. Taking into consideration the submissions made by learned counsel for the parties, taking into consideration the amount which is alleged to have been collected, particularly the amount which the applicant is said to have received and also taking into consideration that the trial has not been concluded till date and the applicant has remained in jail for one and a half year, at this stage, without commenting on merits of the case, I am inclined to allow the application.
7. 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 two local sureties 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 him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge