

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6876 of 2021

1. Manish Soni S/o Late Shri Chandra Prakash Soni, Aged About 36 Years, R/o 27/98, Near Sainath Provision Stores, New Shanti Nagar, Civil Lines, Raipur (C.G.).

---- Applicant

Versus

1. State Of Chhattisgarh, Through Police Station, Gol Bazar, District Raipur (C.G.).

---- Non-Applicant

For Applicant	:	Mr. Ranbir Singh Marhas with Mr. Abhishek Vinod Deshmukh, Advocates.
For Respondent/State	:	Mr. Chitendra Singh, Panel Lawyer.
For Objector	:	Mr. Vivek Sharma, Advocate.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

27/10/2021

- 1) This is the First Bail Application filed under Section 439 of Code of Criminal Procedure, 1973 by the applicant for grant of bail as he is in custody since 26/06/2021 in connection with Crime No. 90/2020 registered at Police Station Gol Bazar, District Raipur (C.G.) for the offence under Sections 420, 467 & 468 of IPC.
- 2) Allegation against the present applicant is that during period from February 2016 to April 2016 the applicant obtained a total sum of Rs. 31,50,000/- from various persons including the complainant Aish Kumar on the pretext of providing them job in different departments. The applicant also issued forged appointment letter to the complainant. However, neither any such job was provided to the victim nor the money was returned to them.
- 3) Learned counsel for the applicant submits that applicant is an innocent person and has been falsely implicated in this case. There is inordinate delay of more than 3 years in lodging the FIR. He

submits that in fact there was some transactions between victims and the applicant relating to sale of land and not for the purpose of providing job to them. He submits that the applicant has been arrested on 26/06/2021, charge sheet has already been filed and trial is likely to take some time for its disposal. Therefore, the applicant deserves to be released on bail.

- 4) On the other hand, learned counsel for the State as well as Objector opposes the bail application.
- 5) Heard learned counsel for the parties.
- 6) Considering the facts and circumstances of the case, true it is that the incident took place in the year 2016, however the applicant is said to have cheated as many as 11 persons in the name of providing them job and obtained huge amount of Rs. 31,50,000/-, nothing has been pointed to show prima facie false implication of the applicant, cash amount is said to have been given to the applicant by number of persons of different villages and community, there is no any relation shows with Sourya Jain and other of the applicant, though charge sheet has already been filed but considering the overall facts and circumstances of the case and the manner in which the offence has been committed, I am not inclined to release of the applicant on bail. Accordingly, the application is **rejected**.

-Sd/-
(Gautam Chourdiya)
Judge