

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.7913 of 2021

Anuj Gupta S/o Shri Ram Nivas Aged About 38 Years R/o Chandni Chowk,
Mayapur, Abmikapur, Tehsil And District Ambikapur District Surguja, Chhattisgarh
---- **Applicant**

Versus

State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali
District Mungeli, Chhattisgarh
---- **Non-Applicant**

For Applicant: Shri RS Marhas, Advocate.
For Non-Applicant/State : Ms. Ishwari Ghrithlahare, Panel Lawyer.

Hon'ble Shri Justice Deepak Kumar Tiwari

Order on Board

27.10.2021

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the Applicant, who has been arrested in connection with Crime No.328/2021 registered at Police Station – City Kotwali, Mungeli District – Mungeli, Chhattisgarh for the offence punishable under Sections 419, 420, 467, 468 and 471/120-B IPC.

2. Prosecution case in brief is that Complainant Aditya Singh has lodged a written report at PS Kotwali alleging that one Priyanka Lahare had promised to get him posted as Clerk in the Forest Department, Mungeli for which, he had to pay Rs.4 lacs after receiving the appointment order. It is alleged further by the Complainant that he had handed over all his documents to the brother of Priyanka i.e. the present Applicant and later, he was informed about the receipt of appointment and was asked to arrange funds and then to call them. He alleged further that he was called by Priyanka to Civil Court premises, Mungeli and was introduced to two

persons namely Shailendra Lahre and Abhishek Rathore as Forest Officers, who had given him appointment order and asked him to join his duties when they inform him, whereupon the Complainant had given them funds. Later on, the Complainant could not establish any contact with the said persons at all and therefore, the report was lodged.

3. Learned counsel for the Applicant submits that the present Applicant is innocent and has been falsely implicated in the crime in question. Today, learned Counsel for the Applicant submitted a document i.e. Crime No.328/21 of SHO, P.S Mungeli, dated 21.10.2021 relating to dismissal of the crime on the basis of no sufficient evidence being available in the said incident. He further submits that the Applicant is languishing in jail since 16.08.2021 and therefore, he may be released on bail.

4. Per contra, learned Counsel for the State opposed the bail application.

5. Considering the facts and circumstances of the case, the development in the case as the prosecution itself forwarded a letter for dismissing the crime committed by the Applicant, looking to the period of detention and the trial is likely to take some time for its conclusion, without further commenting anything on merits, i am inclined to grant regular bail to the Applicant.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

7. It is directed that the Applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.10,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance

before the said Court as and when directed. In case any default is committed by the Applicant in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Deepak Kumar Tiwari)
Judge

Priya