

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7842 of 2021**

- Naresh Manhar S/o Bharat Lal Manhar, Aged About 38 Years R/o Village Taldevari, Police Station Birra, District Janjgir-Champa Chhattisgarh, At Present R/o C-3/C-509, Sector-27, Naya Raipur, District Raipur Chhattisgarh

---- Applicant***Versus***

- State Of Chhattisgarh Through The Station House Officer. Police Of Police Station Balod, District Balod Chhattisgarh

---- Respondent

 For Applicant : Smt. Indira Tripathi, Advocate
 For respondent/State : Shri Dinesh Tiwari, Dy. Govt. Advocate

Hon'ble Shri Justice N.K. Chandravanshi**Order On Board****16.11.2021.**

1. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 24.6.2021 in connection with Crime No.192/2021 registered at Police Station Balod Distt. Balod (C.G.), for the offence punishable under Sections 420, 467, 468, 471, 34 of the Indian Penal Code, 1860 (for short 'IPC').

2. Brief facts of the case are that present applicant opened a hospital in the name of Modern Hospital of Chhattisgarh (National Wealth Health Organisation)(NWHO) in Gotiya Chowk, Jhalmala, Distt. Balod and also published advertisement for filling up various posts in the hospital through web site www.nwho.in to provide jobs to aspirants, thereby he collected Rs.4,23,000/- from

various candidates and also provided them with fake appointment letter. However, he failed to give salary to them. On report, being lodged by complainant Bhuneshwar Ram, who was one of the employee in the said hospital, present crime was registered against the applicant under Section 420/34 IPC and after investigation, charge sheet under Sections 420, 467, 468, 471, 34 IPC was filed against the applicant.

3. Learned counsel for the applicant submits that the applicant is innocent, he has been falsely implicated in this case. He had opened hospital due to outbreak of Covid-19 but he could not run the hospital because of lockdown, therefore, he could not pay salary to the employees of the said hospital. She would next submit that the applicant was arrested on 24.6.2021, however he was released on parole on 12.7.2021 for 90 days due to outbreak of pandemic covid-19 and presently he is in jail. She further submits that there is no criminal antecedent reported against the applicant and charge sheet has already been filed. The applicant is the permanent resident of Distt. Janjgir-Champa, hence, there is not chance of influencing the witnesses or absconding of the applicant, therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.

5. I have heard learned counsel for both parties, perused the case diary and the material available on record.

6. Considering the facts and circumstances of the case, nature and gravity of offence, also taking into consideration that charge sheet has already been filed, there is no criminal antecedent reported against the applicant as stated by counsel for the applicant and presently he is in jail and also considering that the applicant is said to be the permanent resident of District Janjgir-Champa, therefore, there is no chance of influencing the witnesses or absconding by him, I feel inclined to allow the bail application. Therefore, the application under Section 439 of the CrPC is allowed. It is ordered that if the applicant furnishes one solvent surety for a sum of Rs.50,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned for his appearance before the concerned Court as and when directed by the said Court, he be released on bail.

Certified copy as per rules.

Sd/-

(N.K. Chandravanshi)
JUDGE