

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8111 of 2021

- Uttam Bharos S/o Akshay Bharos, Aged About 21 Years R/o Village Nangur, Police Station Parpa, Jagdalpur District Bastar Chhattisgarh,

---- Applicant

Versus

- State Of Chhattisgarh, Through The Police Station Bodhghat, Jagdalpur, District - Bastar Chhattisgarh,

---- Respondent

For Applicant	:	Ms. Madhunisha Singh, Advocate
For State	:	Mr. Gagan Tiwari, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29.10.2021

1. Heard

2. This is the first bail application filed by the applicant under Section 439 of the Code of Criminal Procedure for grant of bail as he was arrested on 04.07.2021 in connection with Crime No. 186/2021, registered in Police Station Bodhghat Distt. Bastar (C.G.) for offence punishable under Section 420/34 of IPC.

3. The allegation against the present applicant is that the applicant alongwith other co-accused persons namely Sandeep and Ajay Abraham fraudulently obtained money from the complainant Phoolmati Nayak of Rs. 5 Lakhs on the pretext of providing a job of Nurse to her daughter but eventually, no such job was given despite the money was paid.

4. Learned counsel for the applicant submits that there were certain monetary transactions in between the parties, however no such promise was ever made. He submits that the compromise has already been effected which

would be evident in the bail order of one of the co-accused namely Sandeep in MCRC No. 6581/2021 passed by the co-ordinate Bench of this Court wherein the co-accused has been granted bail and the case of the present applicant is also similar to that of the co-accused, therefore he may also be enlarged on bail.

5. Learned State counsel opposes the bail application.

6. Considering the facts of this case and the factum of compromise has been recognised in the order of the Co-ordinate Bench in MCRC No. 6581/2021, the fact that the chargesheet has been filed, without further going into the merits of the case and to maintain the parity, I am inclined to release the applicant on bail. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

7. Certified copy as per rules.

**Sd/-
(Goutam Bhaduri)
JUDGE**