

(2018) 07 CHH CK 0357

In the Chhattisgarh High Court

Case No : Miscellaneous Criminal Case (MCRC) No. 4932 Of 2018 &
Miscellaneous Criminal Case (MCRC) No. 4933 Of 2018

Abhay Barapatre And Ors

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision : 30-07-2018

Acts Referred:

Indian Penal Code, 1860 — Section 34, 120B. 420, 467, 468, 471
Code Of Criminal Procedure, 1973 — Section 439

Citation : (2018) 07 CHH CK 0357

Hon'ble Judges : Goutam Bhaduri, J

Bench : Single Bench

Advocate : GV Barpatre, Raghvendra Pradhan, Astha Shukla

Final Decision : Allowed

Judgement

Goutam Bhaduri, J

1. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested on 24.01.2018 in connection with Crime No.125/2016 registered at Police Station Kotwali, Jagdalpur (CG) for the offence punishable under Sections 420, 467, 468, 471 & 120-B/34 IPC.

2. As per the prosecution case, a report was made by one Neeraj Pawar that the present applicants in connivance with the others in order to provide a Gas Agency to him and others prepared false documents and thus by playing fraud, an amount of Rs.22,75,000/- was received. Thereby the offence has been committed.

3. Learned counsel for the applicants submits that the present applicants have been falsely implicated. They further submit that the present applicants have also been deceived, which would be evident from the appointment letter of Amay Yadav as they were deployed by Amay Yadav and they have not received any

amount instead they worked under the instructions of Amay Yadav, therefore, the applicants may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.

5. Perused the case-diary. Considering the facts & circumstances of the case and the documents filed along with the bail application and also taking into that the charge-sheet in this case has been filed, I am inclined to release the applicants on bail.

6. Accordingly, the application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.