

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3170 of 2016

1. Ravi Gupta, S/o. Late Shatruhan Gupta, aged about 25 years, R/o. Mangla Basti, P.S. - Civil Line, Bilaspur, District – Bilaspur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the S.H.O., Police Station- Sirgitti, District – Bilaspur (Chhattisgarh)

---- Respondent

For Applicant	: Mr. Rajeev Kumar Dubey, Advocate
For Respondent/State	: Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30/06/2016

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.297/2015, registered at Police Station – Sirgitti, District – Bilaspur (C.G.) for the offence punishable under Section 420/34, 368, 212/34 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by Sourabh Sahu that in order to provide project and to get the fund from the government for the NGO, co-accused Abhijit Vaishnav shown a project and in lieu thereof part payment was made by the complainant. Subsequently, certain part payment were being made

from time to time and Rs.70.00 lakhs was paid by Sourabh Sahu and eventually Abhijit Vaishnav fled away. It is contended that while conversation was being made, the amount which was paid at that time, the applicant, Ravi Gupta, who was the driver to Abhijit Vaishnav was also with him.

3. Learned counsel for the applicant submits that he was only driver to the main accused, Abhijit Vaishnav and he has not done anything and the entire transaction are being made by the Abhijit Vaishnav. He further submits that charge-sheet in this case has been filed and the applicant is in jail since 06.10.2015 and no further evidence is required, therefore, the counsel prays that the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and documents. Perusal of the document shows that mainly the allegations are against Abhijit Vaishnav and this applicant was driver to Abhijit Vaishnav. Considering the degree of allegation levelled against this applicant and the fact that the applicant is only driver and further considering the fact that charge-sheet in this case has been filed and the applicant is in jail since 06.10.2015, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Balram