

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7604 of 2016

- Vinod Kumar Nagesh S/o Gorelal Aged About 23 Years Caste- Ghasiya, R/o Kodar, Police Station & Tahsil Pali, District Korba, Chhattisgarh.

---- **Petitioner**

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Pali, District Korba, Chhattisgarh.

---- **Respondent**

For Applicant : Mr. Awadh Tripathi, Advocate

For Respondent/State : Mr. Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

30-11-2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 22-7-2016 in connection with Crime No. 120 of 2016, registered at Police Station Pali, District Korba (CG) for the offence punishable under Sections 420, 419, 170, 34 of the IPC.
2. Case of the prosecution, in brief, is that a report was made by the complainants Rajesh Kumar Paikra, Amar Singh Paikra, Kranti Kumar and Uttam Das that in the year 2014 the applicant who was working as a Constable in Police Department, in order to provide them job in the Police Department had obtained total Rs.3,10,000/- and ultimately job could not be provided to them and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that the applicant has returned the entire amount to the complainants and an application for compounding was filed by the complainants Rajesh Kumar Paikra, Amar Singh Paikra, Kranti Kumar and Uttam Das wherein the trial

Court though compounded the offence under Section 419 of the IPC., but has not compounded the offence under Section 420 of the IPC. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 22-7-2016 and no further investigation is required, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and documents and also the documents of the compounding filed by the complainants as also the order sheet.
6. Taking into consideration the facts and circumstances of the case and further considering the fact that the application for compounding has been filed by the complainants and the applicant has returned the entire amount to the complainants and also the fact that charge-sheet in this case has been filed and the applicant is in jail since 22-7-2016, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju