

Vinod Kumar Vs. the State of Madhya Pradesh

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Court : Madhya Pradesh

Decided On : Feb-05-2013

Appellant : Vinod Kumar

Respondent : The State of Madhya Pradesh

Advocate for Pet/Ap. : Shri. Naveen Kumar Agrawal

Judgement :

M.Cr.C.No.682/2013 (Vinot Kumar & another v.

State of M.P.) 05-02-2013 Shri Naveen Kumar Agrawal, learned counsel for the applicants.

Shri Sudesh Verma, learned G.A.for the State/non-applicant.

Heard the learned counsel for the parties.

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of bail on account of the fact that they have been arrested on 17-11-2012 pursuant to the Crime No.155/2012 registered against them at P.S.Rajendragram, District Anuppur, for offences punishable under Sections 420, 506 and 34 of the Indian Penal Code.

It is submitted by the learned counsel appearing for the applicants that they have been falsely implicated on account of personal enmity with the complainant

Ramayan Chandrawanshi.

It is submitted that no incriminating evidence has been found against them not has any incriminating document been seized from them.

They are being prosecuted only on account of oral statement of the complainant.

It is further submitted that as the trial would take time and, therefore, they be released on bail.

The learned Government Advocate, appearing for the State/non-applicant has vehemently opposed the application filed by the applicants and stated that there is sufficient evidence on record to establish a prima facie case against the applicants.

From a perusal of the case diary it is clear that the allegations made against the applicants are that they had taken a sum of Rs.two lac from the complainant on the false promise of securing him a job in the bank and on that ground the case has been registered against the applicants.

It also appears from a perusal of the case diary that the applicants in September, 2011 promised the said Ramayan Chandrawanshi that they would get him a job in the bank if he would pay them money, pursuant to which the complainant Ramayan Chandrawanshi paid them Rs.two lac in instalments of Rs.30,000/-, Rs.60,000/-, Rs.40,000/- and Rs.70,000/- and aforesaid exchange of money has been confirmed by Kashi Ram, Ganesh and Rishi Ram.

It is also clear that the Court below, while rejecting the application filed by the applicants for grant of bail, has taken note of the fact that similar cases of cheating and defrauding are pending against them.

Be it as it may, in view of the statements of Kashi Ram, Ganesh and Rishi Ram and others I am of the considered opinion that no case for grant of bail to the applicants is made out.

The application filed by the applicants is, accordingly, dismissed.

(R.S.Jha) Judge mct

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