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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1627 of 2017**

1. Akil Ahmad S/o Rajuddil @ Riyajuddin Aged About 21 Years R/o Village Allahpur Samaspur, Tehsil Bisoli, Police Station Islamnagar, District Badayu, Uttar Pradesh
2. Rahul Pratap Singh S/o Rajendra Singh, Aged About 23 Years, R/o Village Gosana, Post Lohvan, Police Station Jamunapar, Mathura Uttar Pradesh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Gudiyari, Raipur District Raipur Chhattisgarh

---- Respondent

For Applicants	Mr. P.P. Sahu, Advocate
For Respondent /State	Mr. UNS Deo, Government Advocate

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****25/5/2017**

1. Heard.
2. This is an application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants, who have been arrested in connection with Crime No.244/2016 registered at Police Station Gudiyari, Raipur, District Raipur (CG) for commission of offence punishable under Sections 420, 34/120-B of IPC.

3. One Murlidhar Shrivastava lodged a complaint against the accused persons that on the basis of false promise and allurements of releasing bonus amount of Rs.24,13,000/- of his insurance policy, on the strength of completing various formalities, he was coerced to deposit Rs.1,64,000/- on various dates.
4. Learned counsel for the State would oppose the bail application on submission that when the Police team has gone to Uttar Pradesh, certain allegations were found against the applicants that they are involved in similar *modus operandi* to cheat other persons in that State, however, particulars of the persons cheated are not available in the case diary.
5. On 23.3.2017, in the course of hearing of this application, this Court allowed the applicants to refund the amount deposited by the complainant by way of demand draft.
6. Mr. Sahu, learned counsel for the applicant, would submit that the amount could not be deposited because different amounts are mentioned in the written complaint and the statement under Section 161 of Cr.P.C.
7. Considering the fact that the applicant is in jail since 09.12.2016 and the offences are triable by the Judicial Magistrate First Class, this Court is inclined to release the applicants on bail, subject, however, to refund of the amount mentioned in the written complaint i.e. Rs.3,64,000/- to the complainant before their release on bail.

8. Accordingly, the application is allowed and the applicants are directed to be released on bail on their executing a personal bond for a sum of Rs.25,000/- with one surety each for the like amount 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.

9. Certified copy as per rules.

Sd/-

Vacation Judge

(Prashant Kumar Mishra)

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