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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4489 of 2017**

Harshit Jaiswal S/o Shri Santosh Jaiswal, Aged About 28 Years R/o Village Ramkrishna Nagar, Kanpur, Uttar Pradesh. Presently Residing At Claimant Town, Thana Claimant Town, Dehradun, Uttarakhand.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Mandir Hasaud, District Raipur, Chhattisgarh.

---- Respondent

For applicant	Mr. Manoj Paranjpe, Adv.
For Respondent/State	Mr. UNS Deo, Govt. Adv.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****3-11-2017**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. Perused the copy of the case diary produced by counsel for the applicant in connection with Crime No. 227/2016 registered in police station Mandir Hasaud, Raipur (CG) for offence punishable under Sections 420, 467, 468, 471, 34 of the IPC and also heard counsel for the parties.
3. Prosecution story in brief is that present applicant Harshit Jaiswal was appointed as Managing Director of Polaris Meritime Academy Pvt. Ltd. Said academy had conducted examination on 28-8-2016 in RIT College at village Chhatauna for appointment in Merchant Navy. The employees of said academy collected Rs. 200/- from different persons and gave them forged question paper, OMR Sheets. The employees of said academy also assured the candidates that they would get job in foreign countries. Said academy was not listed to organize such examination by the Shipping Corporation of India.

4. The applicant is in custody since 2-2-2017.
5. Shri Manoj Paranjpe, counsel for the applicant argued that the applicant was appointed in the said company few days prior to alleged commission of crime. Two other co-accused have already been granted bail by the coordinate bench of this Court. Thus the applicant should also be released on bail.
6. On the other hand, the Panel Lawyer appearing for the State opposed the bail application.
7. Co-accused Ritesh Singh and Amit Kumar were low paid employees of the said academy but the applicant is the Managing Director of said academy. Thus case of the present applicant is distinguishable from that of bailed out co-accused persons.
8. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence and also the impact of granting bail on the society, this Court is not inclined to grant bail to the applicant.
9. Consequently, the MCRC is dismissed.

Sd/-
(Sharad Kumar Gupta)
Judge