

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1093 of 2018

Yashwant Deshpandey S/o Shri Madhukar Rao Deshpandey Aged About 51
Years R/o Plot No. 116, Durga Nagar, Hudkeshwar Road, P.S. Hudkeshwar,
District Nagpur, Maharashtra **---- Applicant**

Versus

State Of Chhattisgarh Through- P.S. Civil Lines, Civil And Rev. District-
Raipur, Chhattisgarh **---- Respondent**

For Applicant	:	Shri J.K. Gupta, Advocate
For Respondent/State	:	Shri Majid Ali, Dy. G.A.

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

13/04/2018

Heard.

1. The applicant has been arrested in connection with Crime No.124 of 2016 registered at Police Station- Civil Lines, Raipur (CG) for the alleged commission of offence under Section 417, 467, 468, 471/34 of IPC and 67(a), 67(b), 67(c), 67(d) of IT Act.
2. Case of the prosecution is that during trial of another criminal case in which the present applicant and co-accused were being tried, in order to build up defence, a fake email ID was produced before the Court.
3. Learned counsel for the applicant would submit that the allegations of applicant having been involved in preparation of fake ID is not correct. He would submit that the IP address of the said email ID is of some other place with which the applicant is not connected. It is further argued that, later on, in the present case, other co-accused namely D.V. Chandrashekar and Smt. D.V. Varsha Shekhar have been granted bail on 18.01.2018 in M.Cr.C. No.5686 of 2017, therefore, the applicant may also be granted bail.
4. On the other hand, learned State counsel opposes the bail application by submitting that the bail application of the present applicant was earlier rejected by this Court on merits on 15.9.2017, therefore, merely because

other co-accused have been granted bail, the applicant may not be granted bail. He would further submit that the applicant, prima faice, is involved in the present case because the fake email ID was produced and at the instance of the present applicant and another co-accused, trial and other criminal case.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration that the bail application of D.V. Chandrashekar and Smt. D.V. Varsha Shekhar have been allowed by this Court in M.Cr.C. No.5686 of 2017 and the case of the applicant also appears to be similarly situated and that he is in jail since 16.12.2016, the application is allowed.
6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties for the like amount to the satisfaction of the concerned trial Court with following further conditions:
 - (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge